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Executive Journals

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THE

Mississippi Territorial Archives

1798-1803

EXECUTIVE JOURNALS OF GOVERNOR WINTHROP SARGENT AND GOVERNOR WILLIAM CHARLES COLE CLAIBORNE

COMPILED AND EDITED BY

DUNBAR ROWLAND

Director, Mississippi Department of Archives and History

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PART I.

Executive Journal of Winthrop Sargent, First Governor of Mississippi Territory, May 21, 1798 to April 3, 1801.

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EDITOR'S INTRODUCTION.

The Mississippi Department of Archives and History was established February 26, 1902, for "the care and custody of official archives, the collecting of materials bearing upon the history of the State and of the territory included therein, from the earliest times, the editing of official records and other historical materials, the diffusion of knowledge in reference to the history and resources of this State, the encouragement of historical work and research and the performance of such other acts and requirements as may be enjoined by law."

The above quotation from the first section of the act of establishment indicates the policy of the Department, in the publication of the official archives of the State of Mississippi.

Next to the preservation and arrangement of official material, its publication is now regarded by students and investigators as the most important activity in which historical agencies can engage.

The Mississippi Department of Archives and History issues three classes of publications:

1. Annual Reports, which describe in detail the development and progress of the historical work of the State, and which are frequently accompanied by valuable historical documents.

2. The Official and Statistical Register of Mississippi, which is published every four years, and which is a complete handbook of the State Government.

3. Mississippi Archives, which have been tentatively outlined as follows:

1. Charters, organic acts, proclamations and constitutions from the Spanish dominion (1540) to the present.

2. Spanish archives at Madrid, Seville and Simancas, dealing with the exploration, settlement and government of what is now the State of Mississippi, 1507 to 1813.

3. French archives at Paris, relative to exploration, settlement and government, 1699 to 1783.

4. English archives on file in the Public Record Office in London, connected with English dominion, 1763 to 1781.

5. National archives in Washington, dealing with the occupation and government of the United States, 1798 to 1817.

6. Territorial archives on file in the Department of Archives and History, 1798 to 1817.

7. State archives on file in the Department of Archives and History, 1817 to the present time.

The completion of such a series of publications, as outlined above, will give a most complete documentary history of Mississippi.

It will be seen from the above classifications that the publication of Mississippi archives has been arranged in three groups, which deal with clearly defined historical periods, from 1540 to 1905. The first period, from 1540 to 1798, will be covered by publications known as Provincial Archives; the second, from 1798 to 1817, by Territorial Archives; the third, from 1817 to date, by State Archives. The archives of the Territorial period are now ready for publication, and in order that no time may be lost, that series will be issued first.

The plan for the collection of provincial archives from Spain, France and England, through a duly accredited representative of the Department of Archives and History, is now being formulated.

This volume marks the beginning of the series, which was provided for by an appropriation of one thousand dollars, made March 10, 1904. The territorial archives of Mississippi commence with the executive journal of Gov. Winthrop Sargent, the first governor of the territory, which begins May 21, 1798, and ends April 3, 1801. The Sargent journal is a well preserved volume of four hundred and forty-seven manuscript pages, and, while it serves to throw light on the official, rather than the man, there are side lights which reveal the sober, earnest, patriotic

citizen who loves his country and hates her enemies with all the ardor of a soldier of the Revolution. This record of the Sargent administration will reveal the first governor of the Mississippi Territory to every impartial investigator in a new and better light. It presents a new man, who has not heretofore been accorded that even-handed justice which is due from the historian.

The Claiborne journal of three hundred and sixty pages, which appears as Part II. of this volume, is an interesting record of the administration of Gov. William Charles Cole Claiborne, the second governor of Mississippi Teritory, beginning July 10, 1801, and ending March 27, 1803. It records, with careful accuracy, the incidents of the first two years of the Claiborne administration, and reveals the young governor as an executive of decided ability.

Sargent and Claiborne, it is evident, were careful, industrious men; both seem to have had genius for detail and a fondness for keeping journals, in which were recorded all official correspondence, and other writings and proceedings. The texts of the letters and documents are not difficult to read, and great pains have been taken to secure accuracy. The letters were compared, word for word, with the originals.

The plan of this publication has been to reproduce every word just as it was written, preserving every error of whatever character. The editor has carefully annotated the journals, his object being to throw light, rather than to make a display of a great number of foot notes.

Before closing this introductory note, the editor takes pleasure in stating that, in his labors, he has gained many valuable ideas from a careful study of "Letters of John C. Calhoun," as edited by Dr. J. Franklin Jameson, and published by the American Historical Association.

DUNBAR ROWLAND.

DEPARTMENT OF ARCHIVES AND HISTORY,
JACKSON, MISS., August 10, 1905.

Photographic facsimile after a copy of an oil painting by Gilbert Stuart, in the Mississippi Hall of Fame.

WINTHROP SARGENT.

First Governor of Mississippi Territory.

BY DUNBAR ROWLAND.

Winthrop Sargent was born at Gloucester, a coast town of Massachusetts, May 1, 1755. His first paternal ancestor who came to America was William Sargent. He immigrated to the colony from Gloucester, England, some time before 1568, since which time his descendants have been distinguished in law, literature, art and politics.

Winthrop Sargent was graduated from Harvard University, and soon after went to sea as captain of a merchant vessel owned by his father. On July 7, 1775, he enlisted in the Army of the Revolution, as a lieutenant in Gridley's Regiment of Massachusetts Artillery; on December 10, 1775, was promoted to Captain Lieutenant of Knox's Regiment, Continental Artillery. He received the following promotions before the close of the war: Captain 3d Continental Artillery, January 1, 1777; brevet Major, August 28, 1783; served as Aide-de-Camp to General Howe from June, 1780, to 1783.

Major Sargent took an active part, with his artillery, at the siege of Boston, the battles of Long Island, White Plains, Trenton, Brandywine, Germantown, Monmouth and other important operations. A chronicler of 1801, in writing of Sargent at the close of the war, says: "Six months' pay in Morris' notes and his sword were all that were left him." In this condition of affairs Major Sargent determined to apply for a commission in the army of Holland, and with that end in view, applied to General Washington for a testimonial of his service in the Continental Army, who gave him a certificate in these words:

"I certify, that Major Winthrop Sargent, lately an officer in the line of artillery, and Aide-de-Camp to Major General Howe, has served with great reputation in the armies of the United States of America: that he entered into the service of his country at an early period of the war, and during

the continuance of it, displayed a zeal, integrity and intelligence which did honor to him as an officer and a gentleman.

Given under my hand and seal, this 18th day of June, 1785.

(Signed) George Washington,
late Commander In Chief, &c.

At this juncture a company was formed, made up largely of revolutionary soldiers, for the settlement of the Ohio River country, known as the Northwestern Territory, and Major Sargent accepted employment as a surveyor, charged with the duty of laying out the country into townships. On the organization of a government for the Northwest Territory, in 1787, he was elected its secretary by the old Congress.

In the war against the Miami Indians, Secretary Sargent served as Adjutant-General of the army in the field under Gen. Arthur St. Clair, and was wounded in the disastrous defeat on the Maume, November 4, 1791. He continued to serve as secretary of the Northwestern Territory, and much of the time as acting Governor until May 7, 1798, when President Adams appointed him governor of Mississippi Territory. In a letter to Secretary Pickering, relative to arrangements for going to his new post, he says, under date of June 16, 1798:

"General Wilkinson arrived here the evening before last and has assured me of accommodation to descend the river in a very few days, so that you will not probably hear again from me at this place."

Governor Sargent arrived at Natchez August 6, in very poor health, and was taken to Concord, the old home of Governor Gayoso, where he remained until convalescent. His first official act was performed August 16, when he delivered an address at Natchez to the people of the Territory.

The territorial officers, as appointed by President Adams, were: William McGuire, Chief Justice; and Peter Bryan Bruin and Daniel Tilton members of the Court. John Steele was appointed secretary.

Legislative authority was vested in the governor and territorial judges. Judge Bruin was the only resident member of the Court, and the absence of the other members greatly embarrassed

the governor in the organization of his administration. Judge Tilton did not arrive until January 10, 1799, and Judge McGuire not until the following summer.

On the arrival of Governor Sargent in the Territory, the United States and France were on the eve of hostilities, which prompted him to temporarily organize the militia, which was done by an official order, dated September 8, 1798.

Political discontent, under the leadership of Anthony Hutchins and Cato West, soon began to manifest itself. Sargent was a Federalist; the majority of the people were Jeffersonian Republicans, and party feeling prevented them from co-operating with him in his, really, earnest and sincere efforts to give them good government.

On the arrival of Judge Tilton, the legislative branch of the government was organized, and the first law of Mississippi Territory bears date of February 28, 1799.

Soon after this time Governor Sargent was married to Maria McIntosh Williams, a young widow of considerable fortune in lands, which gave him a permanent interest in the Territory. One son was born of this marriage, William Fitz Winthrop.

The leaders of the opposition violently attacked the laws that were enacted by the governor and judges. These dissensions resulted in a public meeting of the opponents of the administration, at which a committee was appointed to present grievances to the governor and judges. The committee also appointed Narsworthy Hunter as its agent, and instructed him to proceed to Philadelphia and lay their complaints before Congress. The petition to Congress was prepared by Cato West; it bears date of October 2, 1799, and was signed by fifteen citizens of the Territory.

The agitation by the West Committee, as represented by Hunter, before Congress, resulted in the supplemental act of June 24, 1800, which authorized a legislative body for the Territory, to consist of a House of Representatives elected by the people, and a Legislative Council nominated by the House and

appointed by the President. The House had a membership of nine; the Council was composed of five members.

On June 24, 1800, the governor ordered an election for members of the House of Representatives, to be held at the county seats on the fourth Monday of July. The election resulted in a victory for the opponents of Governor Sargent. The Representatives-elect met September 22, 1800, at the government house in Natchez.

In his address to the representatives of the people, the governor adopted a conciliatory attitude, but the presence of Hutchins and West as members, probably, prevented agreeable relations.

The Territory had been divided into three counties, Adams, Pickering and Washington, which were named in honor of John Adams, Timothy Pickering and George Washington. Adams County was represented by Henry Hunter, James Hoggett, Anthony Hutchins and Sutton Banks; Pickering County by Cato West, Thomas M. Green, John Burnet and Thomas Calvit. Washington County's election was held irregularly, in that it was not held on the day fixed by law, and the House refused to seat John Flood McGrew, the Representative from that county.

The change to the second grade of government, as provided for by the act of June 24, 1800, soon became unpopular, and a petition for its repeal, dated December 6, 1800, signed by four hundred citizens of the Territory, was presented to Congress.

When President Adams was defeated by Thomas Jefferson for the Presidency, Governor Sargent, early in April, 1801, took a leave of absence, which had been granted some time before, to visit Washington, in order to defend his administration against the attacks of his political enemies, and seek vindication by reappointment. He left the Territory soon after, and proceeded to the national capital for that purpose, but his mission was not accomplished, as William Charles Cole Claiborne was commissioned governor of the Mississippi Territory May 25, 1801.

The popular opinion of the Sargent administration has been

derived from Claiborne's Mississippi; and it is, somewhat, natural that his criticism should have been adopted without investigation by other historical writers. Claiborne pictures Sargent as a cold, austere, unsympathetic, arbitary, grasping man, who was never in touch with the true interests of the people. Such an estimate seems to be partisan on its face, and is not borne out by a careful perusal of the record. His journal impresses one that he had a deep love for his country and its interests, that he was sincerely ambitious to serve, faithfully, the people to whom he had been sent, and that he surmounted unusual difficulties in the establishment of law and order in a frontier settlement. In his administration of the affairs of government he was industrious, capable and just. He was, possibly, wanting in political tact, and perhaps his military training caused him to expect too much obedience and reverence for law in a frontier people.

During his trip to the Atlantic States, Governor Sargent visited his old home in Massachusetts, after which he returned to Mississippi Territory and quietly took up the life of a planter. He called his home Gloucester, evidently in honor of his birthplace. He was a successful planter, and was one of the committee appointed by the Legislature in 1809 to receive subscriptions to stock of the Bank of Mississippi, the first banking house established in the Mississippi Territory. Governor Sargent died in New Orleans June 3, 1820, and is buried at Gloucester, his home, near Natchez.

For authorities on the life of Governor Sargent consult *Mississippi Archives, Heitman's Register Continental Army, Annals of Congress 1799-1801, Papers in relation to the official conduct of Governor Sargent, Claiborne's Mississippi, Wilkinson's Memoirs.*

MISSISSIPPI

TERRITORIAL ARCHIVES

1798-1803

A Journal
of the Proceedings in the Executive Department
of the Government of the
Mississippi Territory
Under the Administration of
His Excellency Winthrop Sargent
Commencing
The twenty first day of May 1798.[1]

To Timothy Pickering.

His Excellency the Governor was pleased to write the following private Letter to the Secretary of State, and deems it necessary to be inserted in the Journal Viz—

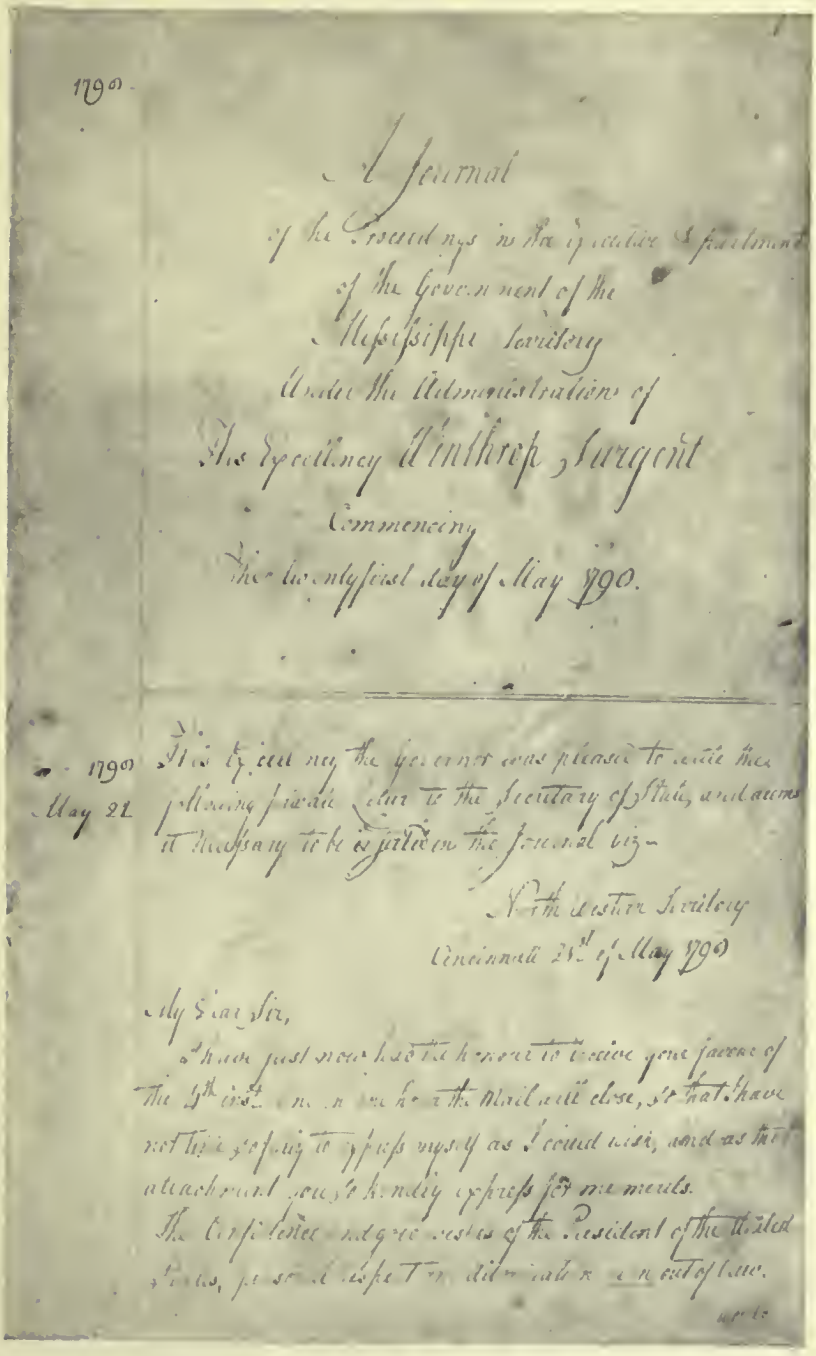
North western Territory
Cincinnati 21st of May 1798

My Dear Sir,

I have just now had the honor to receive your favor of the 4th inst- and in one hour the Mail will close, so that I have not time so fully to express myself as I could wish, and as that attachment you so kindly express for me merits.

The Confidence and good wishes of the President of the United States, personal respect and admiration *even* out of view, would be in a high degree grateful. With the sentiments

[1]The greater part of this journal appears to be in the handwriting of John Steele, the Territorial Secretary. The original letters were written by the Governor, who also made copies, which were turned over to the Secretary, to be transcribed in the Journal.



1790.

A Journal
of the Proceedings in the Executive & Legislative
of the Government of the
Mississippi Territory
Under the Administration of
His Excellency Winthrop Sargent
Commencing
the twenty first day of May 1790.

1790 May 21. His Excellency the governor was pleased to make the following private entry in the Secretary of State's and ordered it necessary to be inserted on the Journal viz—

North Western Territory
Cincinnati 21st of May 1790

My Dear Sir,

I have just now had the honor to receive your favour of the 5th inst. and as the Mail will close, so that I have not time to say to express myself as I could wish, and as the attachment you so kindly express for me merits.

The Confidence and Regard of the President of the United States, personal respect [illegible] and [illegible] out of law.

[illegible]

FACSIMILE OF FIRST PAGE OF JOURNAL OF GOVERNOR WINTHROP SARGENT.

then, that I possess of Mr. Adams, I can know no greater happiness, than is Communicated by his honorary Distinctions of Confidence; and next to my desire of aspiring to an elevated Station in the mind of the President, I assure you, Sir, is my wish of being thought well of by yourself.

The Nomination you have been pleased to signify unto me, would have given me pleasure from your having placed it in my view, so as to indulge the hope of those pursuits in future, which may promote my interest in this Country—*but* for the very infirm State of my health;[1] I am indeed my Dear Sir, I assure you extreme Sick— perhaps too much debilitated, to engage in those *duties*, that might even in better times be *to me* arduous, however my Dear Sir, you have expressed a wish, that if the appointment is made, I should accept it,— this also I must suppose to be the desire of the President, and in Consequence I shall implicitly be governed by your instructions, If I can believe it amongst the probabilities that my State of health, may possibly admit of my discharge of those duties which Shall be assigned me.

You will be good enough I trust to cause the Necessary arrangements to capacitate the Executive of the New Government to organize the same with as much facility as possible, and for the necessary Distinction between Civil and Military— the powers of the Governour in War &c— Laws of the United States— Journals of the Old Congress,—Laws of all the States of the Union, to give the Legislature an election, would be highly useful, —Stationary, a Seal, Press blank Commissions &c, will Constitute a Necessary part of the apparatus.

Before I received your Letter— indeed before the arrival of Governour St. Clair, which was upon the 17th instant, I had been making my arrangements for leaving the Territory, even though his Excellency had not arrived— You will judge from this, my health must have been extreme bad,— indeed Sir, my situation was critical. I had maintained the *Station*[2] *too long* — my Phy-

[1] Sargent was just recovering from a very severe illness

[2] Sargent had served as Secretary of the Northwestern Territory since 1788.

sicians, and friends had declared to me a change of air necessary — Under these Circumstances, I hade made up my mind upon a Northern Journey,— a Voyage to the sea Coast as most congenial to my feelings— I had determined to deposit the public Records with a Captain Harrison, a Young Gentleman of Virginia, and of Education, son to a former Governour of that name, long in the family of General Wayne, in a Confidential Character, and who for seven years I believe has sustained a fair, indeed unblemished reputation as a Military Officer— A few weeks since he resigned, and from faith in the goodness, and propriety of his Principles, and Ability, I had placed in him the Confidence before expressed, and I am sure Sir, that I may venture to Vouch, that he will not betray any trust, with which Government may honour him—indeed I think him a very deserving young man.

In case of my appointment will it not be proper I should be furnished with a Military escort.— I hope Government may be pleased to Consider that my expences at taking possession of the new Country, must be considerable, and make some provision therefor.[1] The movement not being Calculated upon has not by me been provided for.—I leave my home and those little Conveniences, that have enabled me to live upon my former Salary, and I believe no man in Administration, will be unwilling to confess, that a Considerable sum of *money* must be actually due me for my services in this Country.[2]

I have the honour to be with every sentiment of respect and esteem,

Sir,

your very humble servant

(Signed) Winthrop Sargent.

The Honourable The Secretary of State.

[1] Ten thousand dollars had been appropriated to carry the Act creating the Mississippi Territory into effect.

[2] The salary of the Secretary had been fixed at $750. Reference is here made to the propriety of extra compensation as Acting Governor.

To Timothy Pickering.

Cincinnati 29th May 1798.

Sir,

I had the honour to receive your Letter of the tenth of May, and my Commission as Governour of the Mississippi Territory on the last evening.—I trust that I am properly impressed by this mark of Confidence from the President and senate of the United States, and will endeavour to discharge the duties of my office in "integrity," and to the best of my abilities" but my present State of health which for a considerable time past has been extreme bad, causes some uneasy apprehensions however for the immediate full discharge of ———————— my duties,—and for the absence of the Judges,[1] and Secretary I have much regret.

First impressions are strong—it will therefore I apprehend be unfortunate for our Government should the Executive be constrained to visit the Mississippi Territory without the Judges—the people have been anticipating *that* which it is not in the Governours power to bestow.

The pleasure of Government however as expressed to me by you Sir, shall be my guide, and I will delay no longer than to be furnished with necessary transportation;—General Wilkinson is expected immediately, and to him I shall apply for the same.

Lest there should be some hesitation upon his part, which however I should not expect, I take leave Sir to request, that directions may be given *in point, and* if previous accommodations should be obtained, they can operate no ill.

I have only further to observe Sir that I have not a Competent knowledge of the expences of the Southern Indian Department—If Considerable it is essential provision should be made therefor, as I have it not in my Power at present to make advances, though I possess ample disposition for the Public interests.

I have to request Sir that a seal, Press, Stationary, and blank Commissions may be forwarded as soon as possible for the Mississippi Territory, and the forms which were transmitted from

[1] Only one of the judges (Bruin) was a resident of the Territory. Judge Tilton did not reach his post until January, 1799.

the Northwistern Territory to your office in 1789, I think will be found sufficiently adapted, —Poyntell living in Chestnut Street Philadelphia has been the Printer of some of them.

With very great respect I have the honour to be,

Sir,

your very humble servant,

(Signed) Winthrop Sargent.

The Honourable The Secretary of State.

To Timothy Pickering.

His Excellency the Governour was pleased to write the following private Letter to the Secretary of State, and deems it necessary to be entered on the Journal Viz.

Cincinnati 29th May 1798

My Dear Sir

In response to one of your private Letters of the 11th instant my respect and esteem impel me to repeat my assurances, that nothing but a sense of duty and absolute necessity, could have constrained me to have been so very importunate, as I must have *seemed* to be, in mine of the 16th ulto; For I could readily conceive of the importance, and the Multiplicity of your engagements, rendering expected attention to the officers of this Territory impossible— pressed however as I was at all times, by all opportunities, upon the subjects on which I addressed you at that date, and apprehensive for consequences, I could not avoid reiterating my wishes, or now again soliciting, that the Depositions relative to horses, stolen from Gregory and Richardson by the Indians, may be transmitted to Governour St. Clair, so soon as you may find it Convenient.— of this and attention to all other matters that require it, I rest perfectly assured, and that the same will be bestowed so soon as superior demands can anywise render it practicable.— I feel anxious that all concerns of the Territory (notwithstanding I am about to leave it) and which have been

produced in my Administration of Government (more particularly) should have a speedy and happy issue.

I am closing the Journals of the Executive and shall send forward a Copy by next Mail, that my Secretary's duty may be all fair and in order; the same however would not have been due *until* the last of June— The records and public papers will immediately be put into the hands of William H Harrison Esquire of this place, as I had the honour of advertising you in my last.

And now my Dear Sir to respond to the important private Letter of the beforementioned date— I do indeed, "accept your remarks in good part," and you can not confer on me more obligation than by Continuing them— They may be honnorable to myself, and useful to the New Government.

The footing upon which Governour Gayoso lived with the Inhabitants of the Natchez, it may not be exactly in my power to observe, from the difference between American and Spanish Appointments, and which must be as well, or better known to you than myself; I will however cheerfully make such pecuniary sacrifices, as my Circumstances may admit for the interest of Government, and it shall be my study to conciliate, and attach all parties to the United States.

The opposition to my appointment, and the News of which had preceded the *same*, was more than a little mortifying to me; as it was however, only because I have been an *"Eastern Man"* the effects thereof are done away, and to declare myself honestly (which perhaps I am too prone to) I should have felt myself infinitely more honoured in one single Nomination to a Dignified Trust, than dishonoured or mortified, by half a Dozen Rejections, notwithstanding my high respect for many Members of the Senate; and that I every day thank God, for this branch of our Government. May I Sir, upon this occasion, solicit you to present my acknowledgements to the President—his Moments are too precious for my immediate address, and with all the respect and admiration, that it is possible for me to feel for the most Dignified Character in the Union, I should I believe under the impressions

of gratitude for the very highest favour, always be impelled to silence, because I would not even hazard intrusion.

I have the honour to be,
My Dear Sir,
with very respectful esteem,
your obedient humble servant,
(Signed) Winthrop Sargent.

I am extreme desirous we should
be possessed of the Laws of all the States,
even though the same should be at my own expense.

P. S. Of what Indians has the Governour Superintendency? I had believe Colo. Hawkins[1] was a general Superintendant for the Southern Department,— No doubt I shall receive instructions as to the particular treatment of the Indians within my agency, but I beg Sir you to bear the subject in mind— you have had enough to do with them for to determine they are a troublesome, as well as a very *expensive* people — Are the Spaniards to be courted, (with due respect for ourselves) or kept at a distance? Will it not be advisable that an early attention be given to the Land claims upon the Mississippi?— I am told Gayoso[2] was extreme liberal in Grants e'er his Departure.

Signed
W. Sargent.

The Honourable Secretary of State.

To Timothy Pickering.

His Excellency thought proper to write to the Secretary of State a Letter as follows Viz.

Cincinnati June 4th 1798

Sir

I have had the honour of receiving your Letter of the 13th ult with instructions for my Conduct as Superintendant of Indian

[1] Col. Benjamin Hawkins.
[2] Spanish Governor.

affairs in offences committed against the people of the United States by the Indians, and shall as in duty bound, follow the same as an unerring guide,—having in mind however at all times, your suggestions as they relate to Colo. Hawkins, to whose merit I am no stranger. Permit me to ask though Sir, if it be not possible that with the best disposition to the public Weal in us both, there may not be such "clashing of our Powers" as may produce inconvenience and injury, and if so whether the same should not be very early provided against. Colo. Hawkins being considered by the Indians as Superintendent, might it not by them be insisted on that all demands in favour of the White people should pass through him to the operation of such delay (if he happened to be distant) as might be a matter of real grievance?— And are there not indeed, many other very obvious ills to be apprehended?

It will be my special duty to conciliate the good will of White and red people, and I will endeavour to perform it.— The latter are in numbers very frequently at the Natchez, and always I believe, expect to be fed by a Patronizing Country. — as well as to receive some small presents.— Will you Sir, be kind enough to give this subject due attention, and give me some rule of Conduct.

With very great respect I have the honour to be,

Sir,

your most obedient humble servant,

(Signed) W. Sargent.

The Honble Secretary of State.

To Timothy Pickering.

His Excellency the Governour wrote to the Secretary of State a Letter as follows viz.

Cincinnati June 16 1798.

Dear Sir,

General Wilkinson arrived here the Evening before last and has assured me of accommodation to descend the River in a very

few days, so that you will not probably again hear from me at this Place.— My health is not by any means established, I am apprehensive that a more Southern Climate may incapacitate me from duty, at least for a time, but I should nevertheless have gone forward 'ere this had it been in my power— I mention the State of my health to impress upon you most strongly the Necessity that the Officers of the Government, should speedily repair to the Territory—The presence of the Judges can not be dispensed with, and I had flattered myself, that Mr. Tilton[1] would have been on the way, but am told he is gone into New Hampshire.

From the best intelligence I have been able to procure, there prevails in the Country of our destination, a refractory and turbulent Spirit, with parties headed by men of perverseness and Cunning.— They have run wild in the recess of Government and every moments delay in adoption of rules and regulations after the ordinance &c shall be promulgated amongst them, must be productive of growing evils, and discontent.

I am anxious to know who is the first Judge,[2] and that he should be on his way to this Country; I trust he will be a Law Character—of Strictest integrity, of Converse with all the States National and a man unconnected in Land Speculations, and that shall make the duties of his office the Primary Consideration.— The Supreme Court, a Court from whose Judgment there can be no appeal should no more lack legal information than integrity. The Indian Business as it at present stands, embarrassed between Colo Hawkins and myself, I beg leave to recommend to your serious Consideration;— I have said much to you thereupon in several private Letters but it may not be amiss to repeat.— All doubtful cases certainly should receive Legislative interposition, and though I am not anxious of those concerns which will be always attended with fatigue and perplexity, yet I am desirous of duly filling every Station, to which I may be ap-

[1] Daniel Tilton, of New Hampshire, commissioned as one of the judges of Mississippi Territory May 7, 1798.

[2] William McGuire, of Virginia, was appointed Chief Justice of Mississippi Territory June 28, 1798.

pointed; and as Superintendent I am sure you could not wish me a mere Cipher.—Those observations are made with a view also to the Military; very Subaltern Officers, (I know not under what authority) are instructed to speechify, and possessed of the endowments to "Conciliate" to render them important amongst the Indians, whilst the Superintendent is not capacitated to make unto them even the smallest present— May not the toleration of such proceedings open a door for monstous abuses. —I have known at Detroit 1,000 Rations per day issued to the Indians, and at Advanced Posts, this Business submitted to Military, and very Subaltern officers discretionary, in whom I had no Confidence, at the same time that myself though the Legitimate Superintendent of Indian Affairs for the N.Western Territory, was cruelly forced to deny the Ottawa Indians from the Village of Arbircooke hungry in the *extreme*, even a morsel of Bread; At a visit there made one year afterwards by General Wilkinson who was clothed with *the means* some handsome presents were made, and will not all this induce, Comparison unfavourable to your Superintendent, who for the interests of our Country, should Certainly be in high estimation with the red people?

One other matter also at present will I take leave to introduce, and which I have before presumed to hint at,— The Mississippi Territory, in case of hostility with France, must probably be a Theatre of War,— The Governour is commander in chief of the Militia— The Commanding General of the Regular Troops may not be there— the officer in chief may be a Colonel, or he may be a Captain,— With Troops operating together, there should be but one head, and although *I might* be willing to sacrifice almost anything to the Nations Weal, yet Military Pride and Tenacity, are not always to be controuled.—Your Experience my Dear Sir, in actual service, and extensive reading in those subjects so very important to a soldier, abundantly inform you to advise, to instruct, and I most earnestly solicit the *same*, as also that you would use your influence for the due legal Regulation in every doubtful case.

I most ardently pray that a regular communication by Post may be established, between the general Government and Natchez.

As a former Letter requesting blank Commissions might be sent, may have miscarried, I take leave to request that 400 Printed forms for Military officers, 200 for Justices of the peace— and 400 of more general nature may be struck off, and transmitted me— Copies well enough adapted are herewith forwarded,— a Box of Stationary is also needed, and should Poyntell be directed to furnish the same, it is desired it may be agreeably to the last Invoice which I gave him, and the addition of two large Blank Books for the Journal &c.

And now my Dear Sir, being about to leave this Territory and perhaps forever, you will excuse my again observing that unless measures are speedily taken for removing intruders, Government must eventually experience great loss, and misfortune, either by sacrificing Lands, or from the necessity of a great Military force— yet I believe it practicable to get rid of them upon an order from the general Government,—Governour St. Clair thinks otherwise, and has lately attached the Country West of the Miami quite to the Indian line, to Hamilton County, not I think for good and sufficient reasons, but perhaps he is better Judge— I denied this measure, because I believed it would Countenance *intruders* and made some other Provision in Point, which may be seen in my last communication.

I have the honour to be,

Dear Sir

your very humble servant

Signed Winthrop Sargent.

The Honble Secretary of State.

To John Steele.

The Governour wrote to the Secretary of the Government of the Mississippi Territory, in answer to a Letter received from him as follows Viz—

Sir

This evening of the 2d of July at the foot of the Rapids of the Ohio, and on my way to the Mississippi Territory, is the first leizure moment I have had to acknowledge your favour. I trust the Indian Treaty[1] will not long detain you for it seems to me most Specially important at this Crisis, that every officer of the Government Should be at his *Post.*

As I am *not instructed* I can have no Communications, to make unto you in Point to the Negociation and will only add that it would be highly gratifying to me to obtain pretty accurate information of the Numbers of the Southern Indians which object the present occasion may afford you opportunity of coming at in a Degree.

I am Sir

with Respectful Consideration,

your very humble servant

(Signed) Winthrop Sargent

The Honble John Steele Secretary of the Mississippi Territory Knoxville.

Address to Inhabitants of Mississippi Territory.

His Excellency the Governour was pleased to make and and to deliver at Natchez, to a large assemblage of the Inhabitants of the Territory the following Address Viz.

From the communications made unto you at this time you will observe the Beneficient intention of congress to extend immediately to the people of this Territory, the immunities and blessings of their civil government, and the provision for your

[1] John Steele was a commissioner to negotiate a treaty with the Cherokee Indians at Knoxville in 1798.

being admitted into the union in equal sovereignty and independence with the original States, *so soon* as your population may enable you to form and carry into effect, a system for the permanent government of a country so extensive, and of so much national importance, as hereafter (and at no distant period) must probably be the Mississippi Territory.

For your immediate and temporary government the honorable Congress have been pleased to apply their Ordinance of 1787 *which* experience in their North western Territory has determined is best adapted for your happiness and the interests of your nation.— so accommodating the same however (in special indulgence to the people of this Territory) that property in slaves shall be continued to the present owners, with permission of future importation from any country not out of the dominions of the United States. By this ordinance it is provided, that the governor and Judges, shall adopt laws for your government, and such important duty it is presumed will be no longer delayed, than the arrival of another of the Judges.— a concise and clear code of laws, intelligible to the most common capacity— void of partiality to sect, or class, and breathing that genuine spirit of devine clemency, which is so honorable in legislation, it may reasonably be presumed will be the effect of their labours.— such a code would demand and insure the fullest respect of all ranks of men, and the uniform administration thereof, produce you more than a common share of felicity.

Should however at any time, from a misconception of your interests, or any other cause, Laws be adopted not suited to your circumstances, I trust you will find a remedy within the Territory,—but in any event you may repose in perfect security upon the sovereignty of the united states— For *there* (and it is an affectionate proof of wise and watchful care) is reserved the power of disaproving of the laws, which may have been adopted by your governor and Judges, and upon this provision I most cordially felicitate you, as it contributes in your Territorial Legislation, the aid of national wisdom.

To cause due execution of the laws which shall be adopted will specially be the province of the governor—and I wish it to be therefore remembered, that the exercise of that clemency which, in the Legislature might beam most effulgent honor upon his character, cannot be admitted in the Executive department, but at extreme hazard to the Territory— For every remission or pardon for a violation of the Laws, is not only a tacit reflection upon the legislature, *but* by encouraging a hope of impunity produces and multiplies crimes, extremely dangerous to individuals and government, and causes the future acts of Justice to be deemed oppressive.— Firmness and uniformity of character then should strongly mark the executive, and all persons commissioned to office by the governor must make it a point of honor, by the most faithful administration of Law and Justice (according to their respective duties) to second his best endeavours for the public weal.

All appointments within the Territory, not specially provided for by the ordinance of the honorable congress, are with the governor, and merit only can entitle a man to office. Strong and evident marks of attachment to the United States and good government, a disposition to preserve the peace and order of society, and harmonize contending sentiments (if such have unfortunately existed) will be held by government in very honorable estimation, and duly noticed by the executive— for *this*, and the unremitted endeavours of the governor to promote your and the national interests and dignity, I am most fully authorized to pledge myself. The important duties of that office having been committed to me: I feel the full force and obligation of my trust, and believing that upon the faithful discharge thereof, must very much depend your future welfare, I am not without the most anxious and tender colicitude—relying however upon your established reputation for good sense and cultivated minds— that the due estimation of so ample enjoyment of the elegancies, and refined pleasures of social life; and which can only be continued under a government *duely* appreciating Individual, as well as

national rights, will powerfully aid the most Zealous exertions on my part, I enter upon my duties with cheerfulness— Fervently supplicating the agust author of our being, so to enable me at all times to administer my various functions, as shall best merit the continuance of confidence from the sovereignty of the United States, and be most conducive to your happiness.

Imperious circumstances will demand that I should lose *no time* to array, in a well appointed and well ordered militia, the effective force of the Mississippi Territory, and I postpone the same only for due information of characters suitable to commission, and your probable strength— the first I hope speedily to obtain from an acquaintance with you, which it will be much my pleasure to cultivate— and of those best informed of the military regulations heretofore in observance, I have to request such communications as may enable me to determine with as much accuracy as possible, the number of men enrolled in the militia heretofore, with the state of their arms and accoutrements, I shall as soon as possible devide the Territory into districts, and make the appointments of magistrates and other officers necessary to the execution of process, civil and criminal, and the preservation of the quiet and good order so essential to the very being of society.

I am aware however that in the meantime insidious attempts of nefarious men might for a moment disturb your repose— Indeed the anxieties of some amongst you thereupon have been suggested to me, but fear not, our ability is proportioned to the occasion, and the arm of the United States is mighty.

As good citizens void of Jealousy of each other and emulous of public good, you will keep your eye on the men of *no country* whose pursuits here (under the most favorable construction thereof) are quite problematical, and whose smallest interference with your police, must be considered as vile usurpation any kind of disrespect upon *their part*, to the general or Territorial government, will naturally lead you to suspect them as foes to our

peace and quiet, and the most prompt and energetic measures should follow the first notice of their characters.

(Signed) Winthrop Sargent.

Note.

This address made at natchez august 18th 1798 to a considerable collection of the Inhabitants of the Territory and immediately after the publication of the act, and ordinance of congress for the Government of the Mississippi Territory.

To Captain Isaac Guion.[1]

His Excellency the Governor was pleased to make the following order for the apprehending of Zachariah Cox Viz.

Concord house near Natchez Mississippi Territory august 18th 1798

Sir

I have to request that you cause Zachariah Cox[2] said to be in the town of Natchez, to be immediately apprehended and held in close custody in the fort under your command, until you may receive further instructions in the case from me, or he shall be liberated by the sovereign authority of the United States, for all which this shall be your sufficient warrant.

Given under my hand and seal the day and place before mentioned.

(Signed) Winthrop Sargent.

Mr. Cox may receive provisions for his use from the public—but he can have no attendant in whom you have not the fullest confidence, and communication to, and from him, must be through the medium of a commissioned officer

Captain Commandant Guion

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[1] The officer in command of United States troops at Natchez, native of New York, soldier of the Revolution, father of Judge John I. Guion.

[2] A member of the "Tennessee Land Co." who came to Natchez with a party of armed men.

To Timothy Pickering.

Concord House near Natchez[1]
Mississippi Territory 20th august 1798

My Dear Sir

Leaving the northwestern Territory as I did very much indisposed, and exposed on my way here, to all the Ill effects of a *vertical* sun, the consequence had well near been fatal to myself— I was detained at Massac a few days, where I recovered a little, but Judging it to be of great importance I should make no delay, I so hastened my departure, that a relapse almost unto death was the consequence, and for a considerable time after arrival here, my life was despaired of— so soon however as I was able to ride out, I caused the acts for the government of the Territory to be formally published, and made an address unto the people, of which I enclose you a copy— to the same I expect a response in due order, of which you will be noticed as early as possible, and in the meantime I believe I may venture to assure you, that my communications have been highly satisfactory, and to render the new government generally acceptable.

My health is so much better that I venture abroad every day, and am obtaining such knowledge of the Inhabitants, as may best enable me to make the necessary appointments within the government. My great source of uneasiness is the want of the Judges— I pray God Mr. McGuire may soon arrive, or some law character— In a court from which is no appeal, most certainly there should be law knowledge — Judge Bruin[2] a worthy and sensible man, is beyond doubt deficient, and Judge Tilton cannot have had more reading or experience. under these circumstances might it not be advisable to make compensation to some gentleman learned in the law, to reside here as an attorney for the United States, and Territory?

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[1] The old home of the Spanish Governors. Gov. Sargent was carried there during a severe illness. The building was burned in 1900.

[2] Peter Bryan Bruin was appointed one of the judges of Mississippi Territory May 7, 1798. He was the only resident member of the Court.

For the absence of the secretary, though I devoutly wish him here, I have not so much cause for regret, for you know I am habituated to the Joint service and perplexities of two offices, but every moment I am teazed by applications, which should be made to inferior magistrates but which cannot be rejected without fear of exciting disgust at government, and of course subjected to unremitted labour to which in full health I should be unequal and which at present is really distressing.

To one act I have been constrained since my arrival, which will be explained to you fully by the inclosures marked A B C D E &c upon which I request immediate instruction.

Mr. Cox was at large within the Territory and an armed party at his command, before my arrival his coming was talked of amongst some few disaffected persons here, and that he was to assume the government for the state of Georgia — He is now in close confinement, but with every indulgence that a state prisoner should expect, *for* I am not disposed to torture even a criminal; I wish ardently for the President's Instruction in this business, as early as possible, for until I may receive it, Mr. Cox will be continued a prisoner.

I had the honor to receive your favor of the 29th June yesterday in which though you mention to me the seals, you say nothing of stationary and blank commissions, which are absolutely necessary, and of which I inclosed you forms.—one seal for each county shall suffice for the present, whether the county offices wanting seals, be in the same person or not, and I wish you to have *two*, one of them inscribed with the name of "Adams" and the other "pickering."[1]

We have no printing office in this country, we are remote from all others, and under such circumstances, I shall find it impracticable to diffuse a knowledge of the laws, and other useful matter without the aid of government,— a small Travelling press sufficient for half a sheet of post paper, which would give four

[1] The first two counties formed in the Mississippi Territory were named in honor of President Adams and Secretary Pickering.

pages, would be a blessing to the people of the Territory, and I would myself contrive to manage it if we may through your goodness be indulged.

I am well pleased that the secretary of war is to be consulted relative to the powers of Colo Hawkins and myself in the Indian department and am not over anxious for a very extensive field to act in,—But whatever shall be my duties, I will perform and shall admit of no interference.

The Governor of the northwestern Territory has, as superintendant of Indian affairs, been a mere Cypher— Military subaltern officers not unfrequently have exercised all his powers; have had their talks, and been entrusted with the Indian presents, without consulting or paying the smallest regard to *him* thereby depriving him of almost all his consequence, *though* as the legitimate agent, all responsibility was *his* — I trust such conduct may not be attempted to be practiced upon me, for without the presidents express mandate in point, I shall not submit to it.

At this place the chactaw Indians frequently visit they are sometimes troublesome to the Inhabitants by killing their cattle &c to which as scattered over a Considerable Country, they must be more or less always exposed— when visiting it perhaps it might be well to endeavour to keep them in good humour, by a little Bread, Beef, and liquor, and some trifling presents, for which I request immediate provision, and such instructions as may be deemed proper; I cannot make advances myself— my own expences will be greater than I had an Idea of—*living* is dearer than I had expected, and even house rent, I find is estimated at 300 Dollars per year.

I wish you would oblige me by transmitting such of the prints as may inform me of public transactions, at home and abroad, in which our country is implicated.

I have the honor to be with most respectful esteem
your most obedient humble servant
(Signed) Winthrop Sargent.

The Honble secretary of State.

P. S. poor Williamson is dead, if he had lived I suspect he would have given me some uneasiness by attempting to convey and *settle Georgia lands.* I very much want information upon this subject.— I beg you to take an opportunity to ask the President permission for my visiting the atlantic states, in the next summer. If I shall have organized this government.—I wish to go by way of Orleans for my health and the adjustment of important family concerns.

To Samuel Mitchell, Agent to Choctaw Indians.

Natchez septem*r.* 3*d* 1798

Sir

As you received your appointment from Colonel Hawkins who is a gentleman of great respectability, and supposed to have much Influence with the Indian nations generally and as I have not yet been instructed, with regard to agents to particular Tribes, I deem it advisable that you should communicate *to him,* if by any means practicable— if not in events *of moment,* immediately to the secratary of war, at the same time transmitting me duplicates of every intelligence, in which the safety or interests, of the Mississippi Territory are implicated.

It is material that I should understand the nature of your appointment, and instructions, if the same can with propriety be committed to paper; but it appears to me, that you should not now *leave* the Indian country— the Idea suggested concerning the chactaws and creeks, seems a *good one* but must be managed with great address.

By whose order have you heretofore communicated with the military commander at this post? — who is the Spanish chief called the long king? By what authority is Garland a trader— are the Indians attached to him, and would it be practicable and politic to make him a prisoner, and send him to this post?

What authorities have you to believe, that the spaniards encourage Horse stealing and robberies upon the natchez path?

such should be given unto me, in order to found the due representation to governor Gayoso, and statements to the general Government. I need not observe upon the necessity of conciliating all the Indians to the United States —whatever is proper will be done upon the part of the general Government, to whom I have transmitted a copy of your letter.— Leaving the northwestern Territory at short notice, I am not supplied with money for contingent or any purposes, but this matter I trust will soon be put right. It is very desirable to me, and an object of national importance, that I should possess correct information, of the population of the Indians, in this southern department, particularly specifying warriors, and distinguishing them from old men and boys, women and children, and how situated their means of offence and defence &c &c so far as your own knowledge extends, or that you can obtain correct information, I hope to be gratified.

It will be well I think to be very sparing of passports for Indians to visit white people, and to confine them to chiefs and men of real consequence amongst the tribes, for the less we mix, the better prospect of harmony.— Horse stealing, robberies, and murders, may in some measure thereby be avoided, and our friendship of course, longer continued.

It may not be amiss to let the Indians know, that for depredations upon the property of white people, reparation will be demanded from the nation of the offender, and in case not made, a deduction take place from the presents intended them by the United States.— The strictest justice to them will always be observed on our part. I am told by some of the military gentlemen, that it is a practice with the Indians (coming in by permission) to visit not only Nogales, but Natchez also, and to receive presents at both; the provision made by government not admitting of profusion, it will be well to guard against *this*, so that the distribution may be as equal as possible.

Your courier shall be satisfied agreeably to request, and I have nothing further to add, but that none of your communications to Captain Guion have yet been made known unto me.

I am sir

with due consideration

your obedient

(Signed) Winthrop Sargent

Mr. Samuel Mitchell agent to the Chactaws &c

To Judge Peter Bryan Bruin.

Concord House near Natchez 5th September 1798

Dear Sir

The enclosed letter so strongly marked by ignorance, as well as impertinence, is transmitted to your honor that you may know the writer, his attachments and connexion with the Mr. Cox whom I have thought proper to order in confinement for such misdemeanors as I have indicated the most treasonable intentions toward the United States, all which I have made you fully acquainted with.

I believe it material to the Interests of our nation, that he should be immediately apprehended and constrained to give security, that he will not by word or deed endeavour to disturb the peace and quiet of the general or Territorial governments, or any of the citizens thereof— and if it shall appear (as I presume it will) that he has been one of Mr. Cox's captains, that he be held to answer at the supreme Tribunal of this Territory, or the general government, as may be hereafter directed, for aiding and abetting the Mr. Cox before mentioned, to contravene the laws of the land, or otherwise be dealt with, as in your Judgment may be deemed best.

With respectful esteem I am

my dear sir

your obedient Humble servant

(Signed) Winthrop Sargent.

The Honble Judge Bruin.

Order for Regulation of Militia.

His Excellency Winthrop Sargent Esquire the Governor and commander in chief of the Militia of the "Mississippi Territory" has thought proper to make and publish the following order for establishing and regulating the Militia within the same.

All free male Inhabitants between the age of sixteen and fifty (the officers of civil Government and appointed by the president and senate of the United States, or Commissioned by the governor, ministers of religious societies, that are, or may be established, and regular educated practicing physicians only excepted) shall be liable to, and perform Military duty, and be equally divided into Corps of horse and foot, and formed in the following manner. Sixty four rank and file shall form a company of Infantry, Rifle men, or a Troop of horse.

To each company of Infantry, or rifle men there shall be appointed a Captain, Lieutenant and Ensign, four sergeants, four corporals, a drummer and fifer.

To a Troop of Horse, one Captain, one Lieutenant one Cornet Four Sergeants, four Corporals and a Trumpeter.

The whole militia of the Territory will for the present be formed into two Legions, and to bear the names of the districts or counties, to which they shall respectively appertain, so soon as such shall be erected and laid off.

A Lieutenant Colonel will command each Legion, and a due East line from the confluence of fairchilds Creek with the Mississippi will be received for the present division of the Militia. There shall be Legonary adjutants and quarter masters, and provided a Legion is equal to four companies, two majors will be appointed; one to the Horse, and the other to command the Infantry. A sword of straight Blade (if such could be procured) and one pistol, are to be the arms of a horseman,— A short Carabine with a long Bayonet by enabling him to fight on foot as well as on horse back, would render him much more useful to his Country, but from the great difficulty of procuring such within the

Territory, they will not for the present be demanded. Each Trooper must furnish himself with twelve rounds of cartridges three flints, a priming wire, and small portmanteau. The Infantry are to be armed and accoutred, with Muskets and Bayonets, Cartridge Boxes, thirty rounds of cartridges six flints priming wires, and brushes, and knapsacks.

The rifle men with good rifles, and Tomahawks, powder horns and Bullet pouches, six flints, one pound of powder and four pounds of Bullets, priming wires and brushes, and knapsacks. And every person enrolled in the militia, who shall be found deficient upon a muster day, in the arms, ammunition, and accoutrements, or any of them, herein before ordered to be furnished shall after a reasonable time given to enable him to procure the same, at each and every time of default be fined in the sum of fifty cents.

The officers to be armed and accoutred as the privates with the addition only of swords for the Infantry.— The less ammunition they may have the better, for in actual service, it is to be supposed that the due attention to their men would afford them but little time for the use of fire arms.

Upon the first *saturday* of each and every month and in the afternoon thereof, officers commanding companies are to assemble and parade their men at such places as they may deem best adapted for their general convenience, and then diligently exercise them for the space of two Hours, in marching, wheeling, firing with good aim, and the adroit use of the Bayonet for the Infantry. The commandants of Legions, will take care that the exercises of the companies are uniform, and the printed "regulations for the order and disciplining of the Troops of the United States," are to be received as their general guide.

They will be pleased to name four field days in each and every year, upon which their respective commands, that can with any convenience be assembled, must be exercised as Legionary corps, and *such days* be reported to the governor, he will endeavour to have the honor of reviewing them.

If any person enrolled in the militia, shall refuse or neglect to appear, upon the regular stated muster, or field days, or shall refuse to do his duty when appearing, he shall be fined in the sum of one dollar for each default, except in case of absence, and when he shall render á sufficient excuse to his Captain.

All fines are to be collected by a warrant of distress from the captain or senior officer of a company, directed to either of the sergeants, who may levy upon the goods or chattles of the defaulter, and after advertising the same for five days, if the fine be not then paid, such sergeant shall proceed to sell at public vendue to the highest bidder, so much of the effects, as will answer the fine and one dollar for his own use,—returning the overplus if any there be, to the party who owned the property so distrained. And the fine levied shall by the officer from whom the warrant Issued, be paid into the county Treasury and appropriated to the use of the Legions.

Upon any invasion of this Territory or appearance thereof or domestic disturbances, that shall in the opinion of a magistrate demand the aid of the militia; the commanding officers of counties, and even of smaller districts, are authorized to make such detachments as they may deem the public exegencies to require. —And in case of refusal to appear, and perform duty under such authority, or disobedience, or neglect of orders in time of service, the defaulter shall be deemed guilty of cowardice, and be tried and sentenced by a court martial.

All officers are according to their respective duties to be attentive to the forming, disciplining, parading and commanding their men, and to the orders which may be given from time to time, by the Commander in Chief or other their superior officers. If any officer shall neglect his duty, or violate any of the rules and regulations now, or hereafter to be made for the government of the militia, he shall be heard tried and sentenced by a court martial.

Courts martial may be appointed by the commander in chief, or the commandants of Legions, but the commander in chief re-

serves to himself the power of approving and carrying into effect, sentences of courts martial, whereby the punishment shall be capital or an officer cashiered.

The free male Inhabitants above the age of fifty, are to arm and accoutre themselves either as the cavalry, infantry, or riflemen (at their own option) but they shall not be liable to military service, except in cases of actual invasion, and under the immediate direction of the commander in chief.

The following named gentlemen are appointed officers of the militia, and are to be obeyed and respected accordingly.— Their commissions will be made out as soon as possible, and delivered unto them by the commander in chief or the commandants of Legions.

Upper or Northern District—
Lieutenant Colonel, Cato West Esquire,
Major of Horse Naseworthy Hunter Esquire,
Major of Foot John Girault Esquire.
Thomas Green, Richard Harrison, and
Thomas Calvit, Captains of Horse.
James Truly, Jesse Harper, and George W.
Humphreys, Lieutenants of Horse.
George Sulzer, Lacy Rumsey and James Spann, Cornets.
Roger Dixon, Tobias Brashears, and Arthur Carney,
Captains of foot.
John Brooks, James McIntyre and Gibson Clark,
Lieutenants.
William Smith, James Davenport, and Eden Brashears,
Ensigns.
James McIntyre, Adjutant.
Lower or southern Distract.
Lieutenant Colonel
Majors Benaih Ozman Esquire of Horse,
Sutton Bankes Esquire of foot.
Benjamin Farrar, William Moore and David Ferguson,
Captains of Horse.

Lieutenants, William McIntosh, George Cochran, and John Minor.

Cornets John Lintot, Hampton White, and Charles Surget.

Captains of foot, John Ellis, Adam Bingaman, and Joseph Calvit.

Lieutenants Abraham Ellis, Daniel Grafton, and Philander Smith.

Ensigns John Wall, Samuel Hutchins, and William Dunbar Junr.

John Wall adjutant.

To the Military Characters in this List of appointments the governor has given the highest possible proof of confidence—and *which* he persuades himself can in no event ever be abused or betrayed. Immediate attention on their part, to enroll the militia without Delay, is expected and required.—For to preserve the inestimable blessings of peace, it is absolutely necessary that a people be prepared for war.—In all the old states, the inhabitants are organized into compleat corps, well ordered and appointed, and perhaps, only to be equalled by the best militia in the world.—From them have been selected a choice corps of Eighty Thousand men, to operate at the shortest notice, as occasion may require, in any the most remote dominions of the United States. To their northwestern Territory *also*, the enthusiasm of military ardour, and national principal have extended— and they need but the occasion to demonstrate their patriotism and signalize their prowess as soldiers.

It will be with the most singular satisfaction, that the governor shall have it in his power, to report to the sovereignty of the United States, that upon this western confine of their possessions prevails the most laudable spirit of emulation.

Given at my quarters, Concord house near Natchez in the Mississippi Territory september the 8th anno domini 1798, and of the Independence of the United States, the twenty Third.

(Signed) Winthrop Sargent.

To the Commanding and Field Officers of Militia.

His Excellency the Governor thought proper to write the following Letter to the Commanding and field Officers of the Militia, enclosing the order for the Regulation thereof, bearing date September 8th 1798.

September 8th 1798

Sir,

Upon the Commanding and field officers of Corps depends in very great Measure, the well ordering of Militia. I rely upon your zeal that there be no delay, in the discharge of the important duties entrusted to your Execution.— I am anxious in the extreme, that the Legions should be immediately enrolled; For respectability amongst our white and red Neighbours, will thereby be increased. The safety and well being of every individual of society, demand your energy in the present Moment. Let the men be so arranged under the officers, as shall best promote mutual Convenience and Cordiality. And I conjure you to use your best endeavors upon all occasions, to Conciliate and promote Laudible Harmony.

It is a Military rule that Non-commissioned Officers (with the Approbation of Commandants of Corps) should be appointed by Captains:—and I would recommend a Method free of expense that has been fallen upon in the United States to Uniform Militia officers when new clothing themselves, have determined on Colour and fashion— They have considered their Uniforms the highest dress, and the privates following their example have accomplished an object, which every soldier must feel is not unimportant.

I have the honor to be

Sir

your humble servant

(Signed) Winthrop Sargent.

P. S. I should recommend Blue and Buff as an Uniform for the Territory.

To the Commanding and Field officers. (Circular)

Information to the Inhabitants of the Mississippi Territory.

The Governor had intended to postpone all Civil appointments within the Territory, until by the presence of a Majority of the *Judges,* he should have had it in his power, Completely to Organize this new government, and make the Execution of Process, Criminal and Civil easy and perfectly intelligible; — but this unexpected delay, and the many Misdemeanors which are Complained of, and for the Remedy of which the whole attention of the *Judge present* seems inadequate, has induced him to make ....., the following appointments so disposed (according to the best information which he has been able to obtain) as will most promote the peace and good order of Society in the different Settlements, and which are to be Considered, as merely Temporary for so soon as the powers, and duties of *Justices* Shall be defined by Law, Such will be appointed and Commissioned.

Daniel Clark, William Dunbar, Isaac Gaillaird, John Ellis, James McIntosh, and Joseph Calvet Esquires, Conservators of the peace.—Lewis Evans Sheriff for a District of the Mississippi Territory, from the Southern or lower boundary thereof, to and including all the Country between the same and a due East line, from the mouth of fare Childs Creek, to the river Chatahouchee, which is the Eastern Boundary of said Territory.

Cato West, Samuel Gibson, and Tobias Brashears Esquires, also Conservators of the peace, and William Ferguson Sheriff for the District of the Territory, which is Bounded upon the South, by the District before described, by the Territorial Boundary upon the East, upon the North by a due East line from the mouth of the Yasous, to the Territorial Boundary, and by the River Mississippi upon the West.

The before named Conservators of the peace thus appointed, are Jointly and severally, authorized and required, to keep and preserve the peace—To Suppress all riots and affrays, and to

take notice of all Treasonable or Seditious Language, and Commit the Authors, unless they shall give Security for future good Conduct and to answer for their crimes, at the first Session of a Court of general Quarter Sessions of the peace, which shall be holden in the District where the offence may have been Committed. Any two of the Conservators of the peace, shall within their proper Districts, be Competent to hear Complaints of felonies, and upon Testimony of two Creditable Witnesses, that a Complaint is well founded, may issue a precept directed to the Sheriff, to apprehend the Felon and him Commit to close Confinement to answer for his crime, before the Supreme Court of the Territory next to be holden after such Commitment, within the Said District. Two more of the Conservators of the peace may appoint to act as Constable in their Districts, such and so many discreet men as they may deem necessary.— and it shall be the duty of the Constables so appointed to Execute the precepts of Single Conservators of the peace, which shall be unto him severally directed.

The Sheriff also will consider it his indispensible duty, to Quell all riots and affrays, and to Commit to prison (ex officio) when the same shall happen in his view, all concerned therein, unless they give security for their future good behaviour and the peace, as well as to answer for Crimes so Committed before the proper Tribunal.— He may Command to his aid, Such part of the Posse Commitatus, in the Execution of his duty, as he shall deem necessary, and such summons every male inhabitant above the age of Sixteen years, and not immediately in Civil Commission, is bound to obey, under pain of fine and imprisonment. — He shall receive and keep in close Custody, all persons Committed to him by the Supreme Judges, or, the other Conservators of the peace, and for the faithful discharge of his duties, he shall give Bonds to the Governour and his successor in office, in the penal sum of four thousand Dollars.

Conservators of the peace, Sheriffs, and Constables, may take such fees for their services, as have been allowed in the Ter-

ritory of the United States, North West of the Ohio, which rule as well as all the foregoing regulations, are to be observed within this Territory, until it shall by Law be otherwise directed.

The Governor further authorizes and empowers the Conservators of the peace, and Sheriffs to administer unto all free male inhabitants who are Considered as permanent Residents of the Territory, an Oath of allegiance to be by them subscribed, as well as taken and in form following.

"We the undersigned acknowledge we owe allegiance to the United "States of America, and we do most solemnly and sincerely swear (or affirm "where they are Conscientiously scrupulous of taking an oath) that we will "to the best of our knowledge and abilities, support, maintain and defend "the Constitution thereof,—so help us God."

A Certificate of which in the following form is to be given, unto every person taking and subscribing such oath, viz,

"This may Certify that ..... has this ..... day of "..... anno Domini 1798 taken and subscribed the oath of alle- "giance to the United States of America as prescribed by the Governor. In Testimony of which I have signed my name." A. B.
"Conservator of the peace
"(or Sheriff as the case may be)
"..... District ....."

The Power of administering the oath of allegiance, is limited to the 30th of October next, upon which, Conservators of the peace, and Sheriffs are to make report of such as shall have taken the oath, to the Governor. The Certificate given to Individuals, that they have taken the oath, should by them be carefully preserved, as it has been provided by Congress, that Aliens may be Banished the Country.

Given under my hand and Seal at Natchez this 9th day of September, Anno Domini 1798 and in the 23d year of the Independence of the United States of America.

(Signed) Winthrop Sargent—

To Andrew Ellicott.[1]

Natchez Sept the 10th 1798,

Dear Sir

I yield no credence whatever, to the Union and Combination said to have taken place with the four Nations of Indians, and by Mitchell whom you must know, I am informed the Chactaws are friendly to the United States, and very inimical to the Creeks,— The Chickasaws *only* attended upon a late invitation to them, the Chocktaws, and Cherokees, but was it otherwise, it Certainly would be impolitic in *us* under present Circumstances, to make opposition unto them *at the line* by force of arms— Our present appearance *there* even you alone, would be enough to demonstrate that We are in earnest, to Complete the Boundary,— and I am persuaded that under such impressions no attack can be made upon you, unless after a formal Message to desist from the operation you should Continue at Business, which it seems to me would be highly improper.

The American and Spanish Troops with you I should suppose were fully equal to the Protection of your Horses, and Cattle against Marauders.

I have Communicated your Letter to the Commandant of the Regular Troops here, who has not the power to add to your present number of Men.

General Wilkinson will arrive in ten days Certain, and I will make him acquainted with the Subject of yours, and deliver the Letter entrusted to me.

I thank you for your obliging favour of the 4th. My present engagements which are indeed Numerous, and pressing, permit not such attention as I would wish to bestow upon *it* and *you* at all times.

I can not however close without Congratulating you, that the old and illustrious Commander of our Armies, has again resumed the sword, and his Example has been followed, by a whole

[1] The boundary commissioner for the United States.

Train of Worthies.— Knox, Pinckney, and Hand, Major Generals,—Hamilton Inspector, and a whole host of Brigadiers.— Military ardour beats high, in every Breast, and the whole American World are in Arms; French Privateers bringing in by our American Cruisers. The President is authorized to Banish Aliens, as he shall think proper, and I have seen the Skeleton of a Pretty Comfortable Sedition Bill, which has just passed the House.

With very respectful esteem,
I have the honor to be your friend, and
humble servant,
(Signed) Winthrop Sargent.

The Honble Andrew Ellicott.

To Timothy Pickering.

Natchez Sept- 18th 1798

Dear Sir

I herewith transmit unto you, the Copy of a Letter from a Mr. Mitchell appointed an agent (by Colo. Hawkins) I presume to the Choctaw and Chickasaw Indians, with my response.

I received also yesterday a Letter from Mr. Ellicot, with intelligence from Governour Gayoso, officially Communicating *to him* through Major Minor the Spanish Commissioner at the line, that the Creeks had banished Colo Hawkins from their Nation, and Combined with the Choctaws, Chickasaws, and Cherokees, to oppose the Completion of the Boundary, upon which he has been employed. He suggests to me a wish, that his escort may be augmented, but believing that the American and Spanish Troops already ordered are adequate to protection of their horses and Cattle, against Marauders, and that no attack would be made upon them unless in case of obstinately Continuing at the Business, after the same should be formally prohibited, I have so wrote him, and farther, upon a Conference with the Military

Commandant Colonel Hamtramick, that he had *no Power* to add to his present guard, but that his wishes should be communicated unto General Wilkinson, who is expected here in Ten days.

A Mr. Vidal Quondam Secretary to Governor Gayoso, and who has been left at this place— in Character of *Consul* not acknowledged however as I learn by the President as yet, waited upon me this morning by desire of the Governor, to Communicate in Substance the same information, that had reached me through Mr. Ellicott, and Major Minor, with no more Addition— but that the Spanish Agents had exerted themselves in Vain to oppose the hostile disposition of the Indians, declaring unto them that any attack upon the Line, would be Considered as War upon Spain, as well as the United States, and followed by their Utter Ruin; It would seem also from Mr. Vidals information that the Creeks though Disgusted with Colonel Hawkins, have a patiality to Mr. Seagrove.

Unacquainted as I am with all the Indian Concerns in this Southern Department, without information of the Characters, or even names of the Agents unto them, destitute of resources to send unto them even a Messenger, or make them the smallest present and the suggestions in your favour of the 18th of May, that it would be expedient to leave the General Superintendency of Indian Affairs to Colo Hawkins &c place me in a most embarrassing situation— Something should be attempted immediately with the Creeks, for it appears to me they will otherwise cause us much Trouble, and I trust e'er this, if Colonel Hawkins has left them, that another Agent has been appointed. A small Garison and Trading houses, in the Choctaw Towns, would no doubt produce very happy effects— We live *here* only upon sufferance and *their* good will, our Settlements are scattered over a great extent of Country and not to be defended— Our whole Militia free male Inhabitants from Sixteen to fifty years of age, may amount to eight hundred men,— and I have taken measures to organize them without delay—nearly half the number will probably be mounted, — From the Continued Absence of

the Civil Officers of Government, we really suffer extremely,— and I am the Veriest Slave in the World.— Every day and hour Multiply Complaints, some of them amounting to felonies and very high Misdemeanors; I have been Constrained to some Civil appointments, and to define the duties thereof, which was the province of the Legislature; and am to be Justified only by the imperious necessity existing.

There seems to be an opinion Still prevailing (I know not upon what ground) that Louisiana will be added to the French,— For *such* a Government the Creoles, who are very Tolerable Soldiers would I am persuaded fight.— The whole number that might be embodied, from the same on both sides the Mississippi to the Balize, would amount I am told to about Two thousand five hundred, armed with smooth Bores, and without Bayonets,— Their slaves are said to be as four to one.

This Communication is made unto you Sir, to enable you to form a Judgment of the due provision essential; with all deference I take leave to suggest an opinion, that a Body of Volunteers might be raised in Tennessee, Kentucky, and the Northwestern Territory, upon a promise of Land to prevent the possession of Louisiana by the French, in Case the Spaniards should be disposed to *Cede* it. But early arrangement and sudden Execution should be provided for, as a Fleet and Army at the Balize perhaps possessing the whole lower Country might accompany the first intelligence of the Cession,—a few French Troops with a Cordial Co-operation of the Spanish Creoles, and arms put into the hands of the Negroes, would be to us formidable indeed,— The Indians (now I fear Wavering) would be enduced to join *them* and in the aggregate Constitute an Enemy, by no means Contemptable to the United States. Believed it the intention of our Government to Cultivate a good Understanding between the Citizens of this Country and the subjects of his Chatholic Majesty, I have granted passports to all good men, requesting the same to pass the line,—To such I believe generally due attention has been paid, but in some Cases Commandants have in-

formed me, that our Citizens could not be admitted, but by special order from Governor Gayoso, to *whom* I have signified the friendly disposition of the United States, but there *must* be reciprocity in all things.— This through his friend Mr. Vidal, for I have not yet found it necessary to make unto him a direct address. The Spanish Treaty (it seems to me) provides for these Traders going into the Southern Indian Nations within the United States, but till otherwise instructed, I shall make it a Point, to place them under the same regulations, as our own Traders.

I am &c

(Signed) Winthrop Sargent

The Honble Secretary of State.

To Andrew Ellicott.

Natchez September the 18th 1798

Dear Sir

I have received and read with very particular attention your favour of the 15th instant— and not at all approving the Method you would pursue in regard to Mr. Freeman,[1] I express the same I assure you with great reluctance, for I have in truth very much respect for your Judgment.

Though Mr. Freeman is an officer of the General Government, yet in the very nature of things, he is subordinate to you, and for sedition, Indolence, or Incapacity, there can be no doubt of your right to suspend, and Banish him your Camp.

Should he make any formal Complaint, it would probably be to the Heads of some of the great Departments of State, unless he should be mad enough seriously to prefer unto me, those idle Tales that you have informed me of, which in your situation I should Laugh at and despise.— Yes Sir, I should believe your Reputation so firmly established, as not at all to be affected, by Vague insinuations, or unsupported assertions.

[1] Thomas Freeman, surveyor to the Boundary Commission.

It would be enough I presume for the sovereignty of the United States, and all your friends, that you simply Contradicted *such reports* however speciously made, or industriously Circulated— and for myself *also* for you, I would deem it a most undue Condescention to enter upon Defence, under any the Vilest Calumnies, till called upon by the legal authority.

I am I assure you, with the most perfect Confidence in your attatchment to the United States,

Your friend and humble servant,

(Signed) Winthrop Sargent.

To the Honble Andrew Ellicott
Commissioner &c

To Manuel Gayoso De Lemos.[1]

Natchez September 18th 1798

Sir

In full faith of your Excellencys disposition to render ample Justice unto all men, and reciprocating the very friendly intentions of the United States to his Chatholic Majesty's subjects, and Interests— and having no knowledge of an Agent at the Port of New Orleans duely authorized by the President to seek redress for injuries sustained by the Citizens of America, I believe it encumbent on me to make application unto your Excellency that Francis Mitchell, Accused of having Piratically, depredated the ships and Citizens of our Republic, in an armed Vessel called the Henricque, should with his prize be arrested, and detained to answer unto the said Citizens (or their agent duely authorized) for his reiterated Piracies, as well as for so flagrantly Violating the Laws of Nations.

In support of the Charges against Mitchell, there have been transmitted unto me Certified Copies of depositions made by himself and John Durand a French Mariner, in the Consulate

[1] Spanish Governor of Louisiana, formerly Governor of the Natchez District, just before the transfer to United States.

at Charles Town, and which as I am assured, your Excellency has already been furnished with the same, I forbear to trouble you with.

It is as unnecessary for me to draw your Excellencys attention to the articles of the Treaty of Amity, between our sovereigns and in Point—as I flatter myself it is to assure you of my zealous inclination at all times to yield most Prompt attention to any representations, which in the Contingency of events, your Excellency may hereafter have occasion to make, and in which your *own* or the Interests of any of the subjects of his Chatholic Majesty may be implicated.

With the most unfeigned aspiration for your
Excellencys health and welfare
I have the honor to be
your Excellencys
most Obedient humble servant
(Signed) Winthrop Sargent

His Excellency
Don Manuel Gayoso De Lemos, Governor of
Louisiana, &c &c —

To Manuel Gayoso De Lemos.

Natcheze 28th of September 1798

Sir

Presuming upon that "inviolable peace and sincere friendship" so happily established between his Chatholic Majesty, and the United States of America, I hesitate not to request of your Excellency that Zachariah Coxe who had been imprisoned within this Territory for the most atrocious Misdemeanors, some of them tending to involve the United States in a War with Spain, and who made his escape on the night of the 26th instant, under Circumstances so base, as extremely to aggravate his guilt to men of honour, and who is said to have taken the way to New Or-

leans may be arrested if he is found within your Excellency's Government, and delivered over to a Military Escort from the Troops of the United States, which General Wilkinson has assured me, he will order to be at the National Boundary, to receive him, whenever it may best suit your Excellency's convenience, and pleasure. The Compact Sir Subsisting between our Nations, has most happily provided for rendering ample Justice at their respective Tribunals, to the subjects and citizens of either,— in the recovery of the smallest property— Payments of even trifling debts, and damages of what nature soever, that may have been sustained by either party, *whether* the Causes of Complaint, be against our own Citizens or subjects, or Foreigners who have taken refuge within our Domains.

With such Generous, such liberal provisions, for matters which certainly can be of no very great National Concern, we must Necessarily infer, that our Sovereigns have never intended, an *Asylum* for *Criminals* within the Realm. Mr. Coxes Conduct Cannot be investigated but in the Territory of the United States —if therefore your Excellency should decline to give him up, (which I can not believe possible) it might have the fatal tendency, to Countenance and encourage every species of Vilainy within our respective Governments, for it would foster the hope of impunity, amongst the most abandoned Men. To establish as sacred and immutable Truth, that first article of the Treaty now subsisting between our Nations, I fondly hope your Excellency and myself, shall pass no occasion of cementing the Public Amity, by the mutual exchange of good offices,— The delivery up of Mr. Coxe will rank high in this order, and be Considered as rendering very eminent service, to the United States and all good Government, On my part I shall but wait an opportunity to Demonstrate equal Accommodation, and follow the Example of your Excellency. If Mr. Coxe Sir who is the subject of the enclosed, should not be within your Excellencys Government, or if from any cause I am to fail of success in my present application, I have to request the same may be received in Confidence, as an

Unnecessary alarm to him could produce no good effects Whatever.

I am most respectfully,
your Excellencys,
very humble servant,
(Signed) Winthrop Sargent.

His Excellency
Don Manuel Gayoso De Lemos
Governor General of Louisiana &c

To Timothy Pickering.

His Excellency the Governor wrote the following private Letter to the Secretary of State, and deems it necessary to be entered in the Journal.

Natchez 29th of September 1798

Dear Sir

I do myself the honor of enclosing you Copies of two Letters to Governor Gayoso, because I calculate for your observations thereupon to my future Government.

Three or four of Coxes Coadjutors, men descending the river with him were immediately apprehended upon his Escape, by precept from Judge Bruin, and have been Committed to the Fort, where they will probably remain, until we hear more of the Principle— The Judge is indefatigable and Meritorious, *but* for the want of another Judge we are wretched,— The people smarting from our delinquency, will become restless, and I tremble for the Consequences— Huchens[1] and some others it is hinted to me are again busy— some Memorial to Congress probably—

My own reputation is already at stake, and every moment encreases my hazard— I have been Constrained by imperious Necessity to attempt something like regulation, for the Militia, and to appoint Conservators of the peace and define their duties,

[1] Anthony Hutchins, who was a very active opponent of the Sargent administration.

— My doings therein, are enclosed No. 1 and 2— and after the 30th of October, the time limited for the Conservators to administer the Oath of Allegiance, I propose to make an order to prevent Aliens Traveling the Territory, without passports from myself or the said Conservators.

Of late I hear no more of the Indians meaning to oppose our running the line,— Governor Gayoso indeed wrote a Confidential friend here as though he believe they would not, at least, until it had progressed to the Mobile. — He has seemed very anxious to have me Commence with him a Correspondence.— He has expressly to some, and indirectly to others, proposed such a wish, and I have gratified him as the enclosures shew, *when* the interests of my Country seemed to demand it— as you know the man I forbear all observations upon him.

My anxious solicitations, that the Civil officers of Government may be immediately sent out, I again reiterate, for *so* I am in duty bound.

For the Laws[1] of the different states, I repeat my request, and for seals, stationary, and blank Commissions also. The absolute Necessity for more perfect arrangement in the Indian Department, must be so very obvious, that you will excuse my dwelling upon the subject in all my Letters.— I am by Law the Superintendent,— I know nothing of Indian affairs,— I have been two months nearly in the Territory, and not the smallest Communication made me from the Military thereupon.— The Secretary of War it seems has Committed the whole Business to *them* at the hazard Certainly of very great abuse in some Cases to the Interests of the United States, for even Noncommissioned Officers, if I have been rightly informed have had authority, to Misapply the Public Bounty.— I would Certainly have no objection to Vesting all Indian affairs with the Military, *save* for the Law of the United States, in point to which, I must take leave to suppose, the Secretary pays no attention, *but* whilst this Law is in force,

[1] The organic Act of Mississippi Territory required the Governor and judges to act in a legislative capacity, copying or following the existing laws of the States.

I have duties in that line not to be dispensed with, and totally out of my power to Execute under present arrangements.— It is said goods &c are absolutely Necessary at Military Posts to Conciliate the Indians—Granting *this*, would it not be proper that the persons having charge thereof, should account with the superintendent for their distribution; Such method amongst many other good Consequences, would prevent the impositions, which I am informed are practiced by small parties or Individuals, having nothing else to do, going from Post to Post, and receiving at all, to the very unequal Division of the Bounty of Congress— If Conciliation be the intention, and effect of our presents, it is perhaps not unreasonable to ask that they may be made sometimes at our advanced Settlements, where Distributed with Judgment, they might have the effect to save from ruin every year a number of families who are on the road of the Indians, in their Visits to our parts, and literally eaten out of house and home by them.— Those distressed people, their Complaints &c are unknown to the army, and the only possible preventives to there distress (presents) are not in my Command; — *even* to offer a Pipe of Tobacco to the Indians. I must solicit the Military officer, who perhaps might be only a Corporal.— But I will add no more upon the subject, persuaded that you will give what I have written due weight, and that I shall either be relieved, from all responsibility in Indian Concerns, or made more than a Nominal Superintendent. One more matter only will I trouble you with at this time; War may be suddenly brought unto us in this Country, and a Co-operation of regular Troops and Militia become Necessary— I have the Public interests very much at heart, and I have the feelings also of a soldier,— I wish to provide for Contingencies— Within the Territory I have no doubt of my right to Command, but the whole Militia might advance beyond the Line,— There could not be two heads to an army without Constituting the greatest of Monsters, I should believe in my own Legitimate right to Command; a different sentiment might prevail with the Commandant of the regular Troops, Whether a General Field Officer,

or Ensign, and the Consequences be most disastrous—Indulge me as I request you with advice, if no *rules* can be obtained.

General Wilkinson arrived the day before yesterday.— He has done me the honor to ask my opinion, upon the propriety of remaining here or descending the River— To prevent his men from debauching, and being debauched, as well as other reasons, good and perhaps of more National importance, I have recommended to him, to take Post at or near some heights, Elevated three hundred feet above the Mississippi Commanding the River, and Called Loftis's Cliffs— They are almost seven Miles above the Line— and I suppose the Troops will descend on the morrow.

It would be well I think immediately to establish a revenue office here— Foreign Rum, Sugar, Coffee &c, are Consumed in no inconsiderable Quantity.— Is it not a Material Business to appoint Inspectors of our Staple (Cotton &c) or if there be a Power with the Executive for such arrangements, and the (which) might be made of some Emolument to me, it would help me in my Disbursements, to which my pay is quite inadequate.

I feel it very unfortunate for the Territory, that no means are provided, for regular Communication with you— a few Blockhouses upon the way to the nearest Post Office, or some arrangement that might be made with the Indians, for facilitating our dispatches, would be highly usefull, at present I have reason to believe, that almost all our parties, are robbed upon the way through the Indian Country.

By desire I transmit the appointment of the Spanish Consul here, and wish the Presidents instruction thereupon.

I have the honour to be

Sir

your very humble servant

Signed Winthrop Sargent

The Honble Secretary of State

To Timothy Pickering.

Natchez September 29th 1798

Sir

So soon as the Judges arrive, I propose to make a Division of the Territory, into two Districts or Counties —The Villa Gayoso Twenty miles above Natchez, I propose for the seat of Justice in the upper District— There are a sufficiency of public buildings there for Court purposes, which with a Body of Land, say two hundred acres, seem to me to have been the property of Spain, though a Mr. Green pretends to claim it.— The Military at present hold it, by a Noncommissioned officers guard, for the United States,— At Natchez which should be another County Town, is a Roman Chatholic Church, which would make a Convenient Courthouse, but having been Consecrated, it would Violate the feelings of about a Dozen of families of the Holy Chatholic religion, be disagreeable to our *Neighbours* as it was built by the King of Spain[1]—has always been used for sacred purposes, and therefore in my opinion would be unwarrantable— The Expenses of Jails and Courthouses in this County, will be very great— Jails however must be built; at the Villa Gayoso the appropriation of the public Buildings, for Civil puposes, would be a very great accommodation, and they can not be of any use whatever to the army.—The same are from the Mississippi about a Mile, and seventy miles above the National Boundary.— In the town of Natchez, is a house United States property, having been built by the King, as an appendage to the Church, and which would answer for a Courthouse— It is full half a Mile from any of the Fortifications,— Is in the Center of the Town, and being empty upon Captain Guions arrival, has ever since been by him occupied— Natchez the General informs, will immediately be Evacuated *almost* by the Troops, only a Subalterns guard left, but there seems a reluctance upon the part of the Military, to Yield these possessions— They appear to suppose themselves the proper

[1] Claiborne's "Mississippi," at page 208, distorts this expression into a desire to seize the Catholic church at Natchez for use as a courthouse.

guardians of public property— I have always myself believed the Governour should be the Guardian of all Lands Buildings &c not actually appropriated by special order of Government, or coming into the possession of the Military, by Cession as actual Posts, or appendages to Forts &c— and it might be observed, that the Troops may be called off, and Buildings in Consequences go to Ruin, Whereas the Civil Government always remaining, would Continue its care and protection.

Those Buildings will I trust, very soon be in demand for the purposes before mentioned, and you would very much serve the Territory, by informing me as soon as possible, of the pleasure of the Executive in Point.

I am &c &c

(Signed) Winthrop Sargent

The Honble Secretary of State.

To James Wilkinson.

Natchez 30th of September 1798

Dear Sir

From the examination taken before the Board of Officers, which you have done me the honour to make me acquainted with, it appears, that Coxes escape, has been produced in Consequence of an almost total inattention, to my *request* which Certainly *in his Case* should have had all the effect of order.

The measures taken by you and myself, both before and since he was made Prisoner, will leave no doubt with the President, when he shall be made acquainted therewith, that we have hitherto sacredly regarded our duty, but as the Business at present stands, suspicions of Collusion somewhere, will be harboured in the public mind.

In addition to my *request* to Captain Guion which was committed to writing, and of the propriety of exact Compliance with which he seemed fully impressed, I have denied unto every man,

even persons in the Character of Gentlemen, any Communication whatever with Coxe, and signified *all* this in most express terms, to the Military.— of Captain Guions Zeal and Judgment we neither of us I believe doubt, but in the most favourable Construction of the Catastrophe, we must presume *there* has been an unpardonable Omission somewhere.

Some of Coxes adherents were apprehended immediately, upon his escape, and are now in Confinement, under a precept from the Civil Authority.— Judge Bruin will be good enough to give your Excellency their names, and as you have the means through some of the men under your order from Smith Land, to ascertain the Characters, and Connexion of them with the said Coxe in his Nefarious proceedings, I must trouble you for such information, as will best determine how they are for the present to be disposed of.

With respectful Esteem I am,

your Excellency's most Obedient Servant

(Signed) Winthrop Sargent

His Excellency General James Wilkinson.

Proclamation.

By His Excellency Winthrop Sargent, Governor of the Mississippi Territory.

Whereas it has been represented unto me, that certain persons within this Territory, have presumed to make surveys upon the Lands of the United States, and also within the Indian Boundary, marking trees &c with a View to Settlement, and in some instances, that they have actually established themselves upon *such* Lands, much to the Public wrong, and in flagrant Violation to the preventive Laws for such cases made and provided— Be it Known Therefore, that I have thought proper to issue this my Proclamation most possitively prohibiting, *all such practices*, upon penalty of fine and imprisonment and declaratory also of my

full determination, to cause to be prosecuted all those who shall continue upon any of the Lands which may be within the discription herein before made, after this Public Notice.

Conservators of the peace are requested to report to the Governor, all Cases of Violation to the Letter and Spirit of this Proclamation, which may Come to their Knowledge.

Given under my hand and Seal near Natchez
Territory aforesaid October the fourth anno-
Domini 1798, and in the 23d year of the Independence
of the United States of America.

(Signed) Winthrop Sargent

To James Wilkinson.

Mississippi Territory
Concord House near Natchez 6th October 1798

Dear Sir

In reply to your favour of the 2d instant which did not come to hand untill last Evening, I transmit you an Extract from the Ordinance of Congress for the Government of this Territory, which is in Point to your Queries, but I fondly hope there will be no objections upon the part of present Claimants, to your taking ground for Camp, Fortifications, and the Necessary Timber, for building or firewood.— If otherwise I should deem a fair and legal appraisement proper.

I am Dear Sir,

With respect and esteem, &c
(Signed) Winthrop Sargent

His Excellency Genl Wilkinson

"Should the Public Exigencies, make it Necessary
"for the Common preservation, to take any persons
"property, or to demand his particular services
"full Compensation shall be made for the same."

To George Matthews.[1]

His Excellency the Governor received from General George Matthews, a Letter dated the 11th October 1798 to which he was pleased to reply as follows

In reply to General Matthews's Letter of the 11th inst (this moment received) the Governor has to inform him that he knows of no *right* in any Company to Lands within the Mississippi Territory, and that as Guardian of Public property, he will consider it a duty to prevent all intrusions on the same. Any supposed rights of Georgia, or Individuals claiming under that state, though not impaired by the establishment of the present Government, yet must in the opinion of the Governor be suspended for the decision of an important previous question by the Commissioners, who have been provided for in the first article, of an Act of the Honorable Congress for establishing the Government of the Mississippi Territory.

The Governors Respects to General Mathews

Saturday October 13th 11 O'Clock A M. 1798.

General Mathews—

To Officers of Cavalry.

His Excellency the Governor having received an address from the Officers of the Southern Sub-Legion of Cavalry on the subject of an Uniform &c. was pleased to make the following reply, on the 14th of October 1798.

To the application of the several Officers upon the subject of an Uniform for the Militia, the Governor Observes, that he can not make any objection to Blue and red, or indeed any facings, provided the National Ground be preserved— He mentioned the Blue and Buff, as it had been the uniform of the General Staff, and as a mark of distinction from the Regular Troops.

[1] George Matthews, ex-Governor of Georgia, who came to Natchez in the interest of the "Georgia Land Co."

It would be well however, that the Officers of the two Legions, should Concur in the Uniform, and the Governor will be satisfied in the result.— They will be good enough to make it known to him as soon as they can, and he trusts, no time may be lost in enrolling the Militia.

To James Wilkinson.

Concord House 16th October 1798

My Dear Sir

The information of your passing to the Line has delayed my acknowledgement of your favour of the 11th instant to the present moment.

I consider the arming of the Militia *below* as a Consequence of your Excellencys arrival, and my disposition within the Territory.

So soon however as the enrolment (to which I suspect much insidious opposition from a few base and designing men) shall have been effected, I propose to have on paper at least, a select Corps equal to one half the efficient force of the District, well armed accoutred and officered, and to act upon the Shortest Notice.

This Corps shall be called into Service, so soon as you will signify the *seeming* absolute Necessity therefor, Notwithstanding I have not, as I believe already informed you, been instructed in Point.— With *them* I propose to Myself to take the field, and Co-operete with your Excellency.

I can have no Objection Sir, to giving you my Opinion in favour of fortifying without delay, at Loftis's Cliffs, the Idea of the Minister at War which you did me the honor of submitting to me notwithstanding for to postpone for the result of his deliberations might not only be Hazarding those Important Cliffs, but the whole Territory beside.

Your sick list seems to me alarming, and I regret very much for your officers; poor Lovelle[1] in a very special manner. —I think

[1] Brigade Major under Wilkinson.

he has innate worth which endears him to all his acquaintance, and your Excellencys notice and estimation, must establish his Military fame.

I rejoice much at your Continuance in health, this appears to me of so very much National importance, that I press you not to remain too long at the Cliffs;[1] Visit this post Occasionally, I intend removing to Natchez where I have taken a house, in a few days, and where it will give me great pleasure to accommodate you. My leaving Concord seems a matter of public Necessity, I expect another of the Judges shortly, and it will be proper for a Considerable time that I be with them— Such an arrangement I find upon Calculation, must Considerably increase my expences, and I believe we both find the public provision inadequate to our demand. Indeed I should have found myself a good deal distressed, but for the facility which has been afforded me from the Quarter Master's Department, under your Excellencys order, and in removing to the Natchez, I shall take leave to draw upon the same source, but if it meets not your full approbation, I shall Cheerfully and immediately reemburse the expense.

Mr. King will either hand you this, or be with you on the Morrow— I can add nothing to what I have already said to you upon his Character.

When shall we, I mean when will you set about obtaining a Sketch of the Roads?

Be good enough to give me the information Requested, relative to the Characters of those of Coxes crew in Confinement, as it is quite time they should undergo an Examination, and if their crimes are of the Nature to admit of Bail, that it should be received. Will you give me your opinion upon the propriety of my hiring an Indian Interpreter here, and if you have not made such provision as may enable me by presents to Conciliate in some Measure our Red Brothers, until I shall receive instructions thereupon from Government, I have to request you would cause the due arrangements. Mitchell, from the Choctaw Nation, who

[1] White or Ellis' Cliffs, below Natchez.

left this the day before yesterday, alarmed me with the report of 2.000 Indians on their way to War with the Cadeans,[1] and intending to pass the Mississippi, at or near this place, with the expectation I should furnish them with provision and ammunition, which you know is expressly Contrary to our Treaty with Spain, and I have instructed Mitchell to use every method to divert their Intention.— From report I should expect them here immediately, and they will certainly very much distress our settlements.

I am your affectionate friend,

Signed

Winthrop Sargent

His Excellency General Wilkinson

To Timothy Pickering.

Concord House October 17th 1798

Dear Sir

I have already transmitted unto you Copies of my applications to Governor Gayoso, respecting Mitcehell the Pirate and Mr. Coxe, and now do myself the honour to enclose his response, without any Animadversion thereupon. I enclose also, and open for your inspection, a Letter &c to my friend Mr. Ross, for really I have not time, Otherwise, to make unto you, the Communications therein Contained— I dwell no more upon the absence of the Judges, though the same distresses me and the Country in the extreme.

A Considerable number of Choctaw Indians are expected here on the Morrow— their numbers said to be one thousand, and who Calculate I am told, upon Receiving ammunition from me to War with the Indians over the Mississippi— This Circumstance very much embarrasses me, and their presence will be distressing to the Inhabitants of the Territory— The ammunition the (they) can not have, and for want of Funds, I am without an

[1] Indian tribe of Louisiana, west of the Mississippi River.

interpreter, and can not therefore make my denial so easy to them as I could wish— I trust all due provision will soon be made— at any rate I must put an interpreter upon pay— and as the Season of Indian Visits is at hand, I shall repair to Natchez for the Winter, that I may prevent those excesses which so often happen, at all places of great Indian Resort. — This will much increase my expenses, for house rent is three hundred Dollars— as an Office and a Council Room will be included in *this*, is it not proper my dear Sir, that such expense be passed to the Account of the United States, for really I cannot well bear the Burthen: my disbursements are already *enormous*, and without Relief in some way or other, I shall be obliged to leave the Government, or be pecuniarily distressed to the extreme.

It is a very, very long time my dear Sir, since I heard from you— The last Volume of Laws is much wanted,—General Wilkinson has a Copy which he received from the Secratary at War.

With every Sentiment of most
Respectfull Consideration and Regard, I am
My Dear Sir,
very affectionately your friend
and humble servant
(Signed) Winthrop Sargent

P. S.

I have broken the Seal of this letter to enclose an Indian Talk —I know not as yet what may be the Result

The Honourable Secretary of State

To James Ross.[1]

Mississippi Territory Oct. 17th 1798

My Dear Sir

Your favour of July was delayed until the last month by a seeming kind of fatality to all dispatches for this Country— In our present Critical Situation Communications should be Certain

[1] United States Senator from Pennsylvania.

and Expeditious— I have very humbly proposed two Ways for facilitating the passage of Letters. —Perhaps they are both rejected for I heard nothing farther thereupon— I Trust however my dear Sir, that the very great importance of the Business to the United States, and the interests of a whole Government will not escape your Attention— Vigilant as you always are for the Public Weal, I Confidently Calculate upon your services for this Country at all times.— Feeble as is our situation, and upon the very Confines of the United States, with jarring interests amongst the people we require the Parents Fostering care— A speedy adjustment of the Land Claims, upon Principles Similar to those adopted for the North Western Territory and the same Provisions for Seminaries of Learning, and Religious purposes, together with Encouragement in Judiciously Settling the Country, would have a most happy effect.— It being a frontier very much exposed, to Invasion through the Spanish Dominions, and also to the Indians, should perhaps in sound Policy, obtain for us some Special Indulgencies.— Our numbers are very small, and I believe we shall not enrol in the Militia more than eight hundred men.— They have such Variety of Interests, and Opinions, that I almost dispair of Reconciling them to each other, or Concentrating all their good Will to our Government.— The men of property however I must rely upon, and my best exertions to the Public Weal shall never be wanting. But the absence of the Judges is a most deplorable Circumstance to us all— I am Constrained sometimes to Measures in Consequence thereof, that imperious Necessity only can Justify— They will no doubt be noticed by the discontents, of which here are more than a few, and amongst them some most unprincipled Scoundrels.— The worst Construction is insidously given by them to every act of the General Government, and my Character and Conduct not unfrequently most grossly Misrepresented; Prompt and energetic Measures will be taken so soon as they are fully known,— But they manage with great art and address. —I am truly sorry to suspect Mr. White to be of this party— from his standing in life,

and his assurances to me within the Territory, I had hoped *the best* from him; He is however it is said establishing himself below.— This man and also General Mathews, are of Coxes acquaintances, I mean not to charge them with being his accessories, but the countenance given him by both *here*, was Certainly improper.— My friend Colo Pickering will make you Acquainted with my proceedings in regard to this troublesome man, and I persuade myself I shall stand acquitted of undue zeal to my sovereigns. Your suggestions in regard to Minor, indeed all your Communications I respect,— We are acquainted,— It might be improper to add more, under such precarious Conveyance as is afforded me—

If some Compensation be not made me for past services my Pockets will very soon be empty of everything but "Honour" and "honour" you as well as Falstaff, do acknowledge will no more defray the charges of this expensive Government, than set the Broken Leg or silence the pain of a wound. The arrears actually due me would in a most pleasurable manner, meet my Necessities at this moment— the old report upon my claim went to increase my pay to one thousand Dollars, in the Governors absence, *he* I believe, and one or two of the Committee choosing to Consider me as having nothing to do with the Indian Department— But the Presidents instructions through the Secretary of State upon the 18th of May 1798 places this Business in the proper Point of View, and demands of the Secretary on the Absence of the Governor, the Superintendents duties, and it will naturally therefore seem that the thousand Dollars should be increased to the Governors full pay Viz Two Thousand Dollars.— I know you will have this Business adjusted if possible,— and kindly Considering my necessities, that you will not Judge me too importunate.

General Mathews has come forward to me in behalf of a New England Company of Land Speculators.— I enclose you his Let-

ter and my Reply. also a Proclamation, and solicit your opinion thereupon.

With every sentiment of most respectfull
regard I am My Dear Sir,
your very devoted servant
(Signed) Winthrop Sargent.

The Honble
James Ross
of the Senate of the United States,

By the Governor of the Mississippi Territory,

A Proclamation

The Governor has thought proper to direct, that all persons not Actually Citizen inhabitants of this Territory or of some one of the United States, should report themselves within two hours after their arrival at any of the settled parts of the Government to some one of the Conservators of the peace, upon penalty of imprisonment.

The Conservators will be pleased to examine their passports, and and Countersign such as are regular and authentic.— And no known exceptions to the Characters of the bearers; Suspicious persons are to be Confined and reported to the Governor.— And the Inhabitants of the Territory are forbidden to entertain or comfort any person coming within the *same* who shall refuse or neglect to Comply with this Regulation, (Ordained for Common good) without making immediate report thereof to some one of the Conservators of the peace.

Alien Inhabitants not Specially Privileged by existing Treaties of the United States, must not be permitted to Traverse the Territory, without a passport under the hand and seal of the Governor. The Power of Administering the Oath of Allegiance by the Conservators of the peace is further Continued to, and inclusive of the 30th day of November next ensuing— so seeming to

me essential to afford reasonable opportunity within the Territory for taking the same.

Given under my hand and seal at Concord house near Natchez and Territory aforesaid October the 18th Anno Domini 1798—And of the Independence of the United States of America the twentythird.

(Signed) Winthrop Sargent

By the Governor of the Mississippi Territory

A Proclamation

For the preservation of peace and good order, all persons within this Territory, are hereby prohibited from giving, or Vending to any Indian, or Indians, at or within three miles of the Town of Natchez, or of any other Settlement of White people, In the Ordinary Jurisdiction of the Government, any Whisky Rum, Brandy, or other Ardent Spirits, upon penalty of being punished withe the utmost Rigour.

This Prohibition to Continue in full force and effect to the first day of November next.

Given under my hand and seal, at Concord house near Natchez, and Territory aforesaid on the 18th day of October 1798 and of the Independence of the United States of America the Twentythird.

(Signed) Winthrop Sargent

Proceedings in the Indian Department, the 19th of October 1798.

Friday 19th of October 1798 at Concord house near Natchez Mississippi Territory the Chiefs of about two hundred Warriors of the Choctaw Indians, stated to the Governor, that they had received every species of Injuries, and insult from Cadeans— That

they had patiently endured the same for a long time, in the hope and expectation, founded upon assurances of Governor Gayoso, that they should have obtained sattisfaction, without resorting to War.— But disappointed in such expectation, they had embodied to the Number of two thousand, and proposed crossing the Mississippi to take revenge as Men and Warriors.— that they were without Arms, Ammunition, or Provisions, and Relied upon the Bounty of their Fathers the United States to supply them.

To all which the Governor made them upon the same day the following answer.

My Children,

I am glad to see you, I take you by the hand in the name and behalf of the United States, and express to you their friendly disposition, for the Choctaw Nation, which I shall never fail to give you proofs of so far as is proper: Of *this* my own good will towards you, there may be now some of your Warriors present, who have had the most Unequivocal proofs, and when I call their attention to an affair happening at Fort Washington upon the "Belle Revier" four years since, where a small party was surrounded by a Considerable Body of Drunken Men, with Guns and Tomahawks in their hands.— They will recollect who it was that at the risque of his own life, saved theirs,— gave them again to see their Wives and Children, and to appear at this time to support and defend their dearest Interests a mark of affection so strong, must force your belief, that he will always be your best friend, so long as you conduct yourselves well.

My Children I shall immediately cause you to be furnished with provisions, but I cannot supply you with Arms, or Ammunition to go to War with the Indians, who are under the protection of the Spaniards: Because we have mutually agreed to Restrain such Conduct, and that neither party shall pass into the Territory of the other for hostile purposes. If you desire it I shall represent your Grievances to Governor Gayoso, and should ample satisfaction not immediately be given you, state the same to the President of the United States, and endeavour to have permis-

sion for you to carry on the War with that Vigour which you seem so much to desire, and in which case you will be amply supplied with Ammunition, and so great is my Love for you, that I will endeavour to obtain leave to interest myself as though the cause of Offence, had immediately been offered to me in person. My Children, I am but lately arrived in this Country, I am not prepared to meet your Wants,— I believe however, it can not be long before I shall have it in my power to shew my Charity for your Wives and Children, and to afford you some Ammunition for the purpose of hunting.— But when you come to see me, it must be in small parties, and you must bring me a Letter of introduction from Mr. Mitchell who has been appointed to reside in your Nation, to do you good offices.— Your large parties distress the White people who are not able to furnish them with provisions— You must Conduct yourselves here soberly and with good order, And you must take nothing from the Inhabitants without their Consent, and if they should ever offer you any injury, which I hope cannot happen, you must make your Complaints to me, and I will cause you to have Ample Justice, for such is my duty as well as inclination, And also to Observe one general rule for the white and red people, *that is* to afford them all protection whilst they behave well and equally to punish them, if the (they) injure each other.

My children, I talk to you plainly, for as I have come to reside amongst you, it is necessary we should fully Understand one another.— I therefore inform you, that Complaints have lately been made unto me, of white persons being Robbed, and ill treated, whilst traveling through your Country,— You must prevent this; but you are to Suffer none of them to come amongst you, without a Writing from me, some of the Governors of the United States, Commander of the Armies in this Country, or other person that the President may specially appoint to give Licences, and unless they have such Authority, you must make them prisoners, and send them to me.

And all persons Attempting to Trade amongst you, without a Licence from me, or some other person whom the President may appoint, must be treated in the same manner.

I have ordered you some provisions for this day and so soon as you inform me of the time of your departure, I will see that you are supplied for your Journey.

(Signed) Winthrop Sargent

To James Wilkinson.

October the 20th 1798

Dear Sir

By Captain Guion, I acknowledge your favour of the 15th received the day before yesterday.

The Governours [1] Conduct is such as I expected and I think wrong, the Committing himself so much as he did to you even out of the Question.

Of the importance of retaking Coxe I am fully impressed, and will most cheerfully Cooperate with you in devising and Executing, any Plan for the purpose, and Authorising as far as my limited *Ability* extends, any expense.— Your own proposition herein is I think, a very good one; but there is no person in my View to execute it.— If we could rely upon any of the Soldiers in the Fort, the affair would Certainly wear a good face and promise us success.

I have not time now to be so particular as I would wish, upon this and some other Subjects, but I shall take the next opportunity to write you more fully.— I am making up my dispatches for your Express, and am more than a little troubled by the Indians, we have upwards of one hundred who are going to war with the Cadeans, and demand of me ammunition, which you know our Treaty with Spain forbids us supplying.— Some how or other I hope to be rid of them soon.

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[1] Referring to Gayoso, the Spanish Governor of Louisiana.

Accept my dear Sir, thanks for your kind Invitation to Camp. I will say more thereupon hereafter, and I am sure I need not assure you how happy I should be to make you a Visit.

Best wishes attend you

My Dear Sir,

from yours affectionately

(Signed) Winthrop Sargent

His. Excellency

General James Wilkinson

To Andrew Ellicot.

Natchez 24th October 1798.

Dear Sir

Your measures with regard to Mr. Freeman[1] appear to me Strictly proper, and perhaps the delay thereof, has been Necessary, at your request I shall endeavour to prevail on Mr. Howard a Conservator of the peace, to attend your Camp immediately, duly Authorized to Authenticate Depositions interesting to the Nation.

As he can not be Compensated for this service from any Funds in my Controul, it will be Necessary that the same should be effected from *your means*, for which in my opinion, the United States should be debited.

Being very much engaged at present, I can add only my best respects, for Madam Minor the Major[2] and Compliments to the Gentlemen of my knowledge.

My respects, and very great esteem also

for yourself and am,

Dear Sir,

your very humble servant

(Signed) Winthrop Sargent.

The Honble Andrew Ellicot

[1] Ellicott and Freeman were engaged in a very bitter quarrel.

[2] Major Stephen Minor, the representative of Spain with the Boundary Commission.

Authority To Take Depositions.

Joshua Howard Esquire one of the Conservators of the peace for the Southern District of the Mississippi Territory, is hereby Authorized to repair to the Camp of the Honorable Andrew Ellicot, and there take and Certify, any and all depositions, which may be proposed unto him, and in which the Interests of the United States are directly or indirectly implicated.

Given under my hand and Seal at Concord house near Natchez Mississippi Territory October the 24th Anno Domini 1798.

(Signed) Winthrop Sargent

To Timothy Pickering.

Mississippi Territory. Nov. 1st 1798

Dear Sir,

The very many Letters I have taken leave to Address to you, in almost all of which, I have solicited the means of effecting *that* Conciliation with the Indians, which it has been directed me to endeavour to make, will I am persuaded produce the Measures I wish, and either enable me Completely to discharge the Superintendent's duties, or leave them altogether with the Military, by discharging me from Responsibility.

My situation as it has been Connected with the Indian affairs, has ever since my arrival in the Country been very disagreeable — though by indulgence from the Military, I have been enabled sometimes to give them a few Rations— But the accompanying extract of a Letter from General Wilkinson, seems to take away such power, and as the Indians are every day coming in, and calling upon me must produce no inconsiderable embarrassment, I had written unto the General for his Opinion, respecting my taking into service an Indian Interpreter, and asking to receive Occasionally from the Public Stores, some of the Indian goods.— I had also expressed a wish, that a house in the Town of Natchez, which had been surrendered up to the Military with the Forts

public Stores &c, But which was under the Spanish Government appropriated for Civil purposes, should be subject to the Controul of myself, for the Secretary's and my Offices, and as a place for Convening the Legislature of the Territory, and to meet the Indians; for some of which purposes I have been Constrained to take a Building, that will cost me three hundred Dollars per year.

The General writes me thus,— "With regard to your Excellency's having an Indian Interpreter, I presume it it may be Justified by the Exigency of the Case.— But with respect to your Excellency's appropriation of Provisions, or the Goods transmitted to the Military, under Special orders from the Minister of War, to the Indians, after the most deliberate enquiry and Consideration, I can not find that it is Authorized by Government,— the appropriation of Provisions under your Excellency's order cannot take effect, before Special Laws and Special Contracts are made for *the purpose;* but the goods are subject to the disposition of the Administration, and may be ordered into any hands they please,— The quantity however now in store is trifling indeed, and I am Constantly teazed by small parties of the Six Town Choctaws since I have been here; my Conduct towards them is Conformable to my orders, the same which I pursued in the Northwestern Territory, and while it is directed by my Superiors, and Aimed at the Public good, I am persuaded your Excellency will take no exceptions to it— It is desirable that the whole Indian Concern Should be Concentrated to a *Point* and Regulated by a Single hand, but however desirable, this will be found difficult, for being taught by Education and habit, to look to the Sword as the source of power and Arbiter of Justice, a savages attention can not be diverted from Military Parades, and the display of the National Insignia, Standards, Arms, Embattled ranks, and Martial Musick impress the Inhabitants of our Forests, more forcibly than Argument. I should feel much pleasure in accommodating Colonel Steele at your Excellency's Request, as well as from the personal regard I bear him, but Considering the houses surrendered by the Spaniards to our Military, National property,

I dare not dispose of that in Question, Otherwise than to National Purposes." I forbear any remarks on the foregoing,—the same and any previous application upon Indian Affairs, and the public property in this Country, not Actually before appertaining unto the Military, will I trust obtain speedy attention.

With warm esteem and very sincere respect,

I have the honour to be,

My Dear Sir

your obedient and very humble servant

Signed Winthrop Sargent.

The Honorable Secretary of State.

To James Wilkinson.

The Grove November 2d 1798

My Dear Sir,

By Colo Hamtramach I was honoured with your favour—previous thereto, I had recommended to Bruin, to dismiss three of Coxe's men, who had been in Confinement, though not in Commission, but to detain Young Coxe and Hancock.—Hinds I know not but shall if opportunity offers, endeavour to make the most of him, always keeping in View the Obligation of your Caution.

That you are governed by your own opinion in the decision, as to the Controul of Indian goods, Provisions in the Military Department &c is Certainly Strictly proper, and that such opinion has been made up "upon the most deliberate Enquiry and Consideration" further Confirms me of Radical Defects in the Indian System— the situation of myself and demands almost every day made upon me by the Choctaws, will however under the Government of such system, subject the United States to increased expenses, for deprived of drawing Rations from the Contractor, or goods from the Indian Stores, I must be under the Necessity of Satisfying demands, at the exorbitant prices of this Country.

I thank you for your assurances of good Will to Colo Steele and myself, as it *relates to the House*— I was before your Letter from my much experience perfectly convinced, of your friendly and obliging disposition to *me*, In the application for Colo Steele I had National Convenience in View,— and for him and myself, the Public must furnish offices but 'tis proper the Sovereigns should Constitute the Guardians of Public property explicitly, and I shall be satisfied.

I am
My Dear Sir,
With most respectfull Consideration,
your affectionate,
(Signed) Winthrop Sargent.

His Excellency
General Wilkinson,
Loftis's Cliffs,

The Governor thought proper to Issue a Warrant in the Words following.— and directed that the same should be entered on the Journal.

Natchez November 7th 1798.

To James Evans Esquire, Sheriff of the lower or Southern District, Mississippi Territory

Sir,

You are hereby Commanded to apprehend if to be found within the Mississippi Territory, and cause to be brought before William Dunbar, and James McIntosh Esquires, Conservators of the peace, upon Friday the 10th instant, 10 o'clock A.M. James White John Callahan, and William West,[1] to answer for high crimes and Misdemeanors against the United States.— for all which this shall be your sufficient Warrant. You will also summon Joshua Howard Esquire, Francis Smith, John Mitchell, Anthony Hackett, and Wilford Hackett, to attend as Witnesses.

[1] Members of Zachariah Coxe's party.

Given under my hand and Seal at Natchez, date before mentioned, and to be returned with your proceedings in the Premises, to the aforesaid Conservators

Signed Winthrop Sargent,
Governor

Note, For aid in the Execution of this percept, Captain Heth commanding at Fort Sargent,[1] is required to furnish you with any necessary escort.

To William Dunbar.

Natchez 7th of November 1798—

Sir,

Reiterated applications have been made unto me, upon the subject of intestate Estates, within the Mississippi Territory which would properly come before a Judge of Probate, if such an officer was known,— so soon as the Powers and duties thereof can be defined by Law, I have intended to make such appointment for you if perfectly agreeable.

In the mean time there should be some kind of Provision for Exigencies; I have to request therefore, that in all cases where it may be necessary, you would according to your best Judgment, and rules that have been observed in the Northwestern Territory, grant Letters of Administration, when they shall be required, always taking Sufficient Security, for faithful discharge of trusts that may be reposed, and delaying final decrees, until Laws in Point may be adopted and Published.

I inclose unto you the Copy of a precept issued this day to the Sheriff, and will take care that you receive all Necessary information, before the same is returnable;— I presume it will be most agreeable to you, that the Necessary examinations, should take place at your own house,— if otherwise and opportunity presents, be good enough to signify the same to the

[1] The old Fort Panmure of the Spaniards had been named in honor of Gov. Sargent.

Sheriff seasonably.— My Special Confidence in you and Mr. McIntosh, has induced me to select you for this Business, which perhaps is of more than Common Consequence, to the quiet and Contentment of our Country.

I am with very much esteem, and great Consideration,

Dear Sir,

your obedient humble servant,

(Signed) Winthrop Sargent.

William Dunbar Esquire.

Offer of Reward.

Natchez Mississippi Territory
November 7th 1798

Three hundred Dollars reward for apprehending and delivering to the Undersigned, or to the Commanding Officer at Fort Sargent, in the Town of Natchez Mississippi Territory, at any time within the present year, Zachariah Coxe who was Confined in said Fort, for high Crimes and Misdemeanors against the United States, and made his escape therefrom upon the twenty-sixth of September Ultimo.

(Signed) Winthrop Sargent.

To James Wilkinson.

The Grove Evening of the 19th Novr 1798

My Dear Sir,

Your two favours dated November the 4th came to hand the day before yesterday, and that of the fifth this Morning and at this place.

I have Cautioned the fellow Specially, and Promised him three hundred Dollars for *that* service which we are both anxious should be performed, but I dispair almost of success.

I have issued a Proclamation, offering three hundred Dollars Reward for apprehending Zachariah Coxe,— this I have been

specially induced to, in order to produce Conviction, that *we* Justify the Measure of his Confinement, and to do away the effect of a Monstrous Manuscript, (in size I mean) which has been handed about, at Natchez for very wicked purposes no doubt. I have not read it, but send it to you, requesting it may be soon returned.— I believe our friend White has ushered this into being— He was to have been off on the Morrow for Orleans, Bag and Baggage, but some very imprudent Observations, said to have been made by him, have induced me to order his arrest, and on the Morrow he will undergo an Examination, before two Conservators of the peace, and if my information be Correct, must be held Responsible, to appear hereafter at the Supreme Tribunal of this Territory.— I would have preferred to have been quietly rid of him.—Of old H.[1] . . I know nothing of late,— I believe him Capable of any Mischief, and will so soon as he shall enough Commit himself, pursue every measure of duty, to prevent the possibility of ill effect therefrom.

Your intelligence of excesses Committed at the Villia Gayoso, and which I believe to be ill founded, is the only information I have obtained thereupon,— My services for preservation of the Public property, and to notice outrages thereupon, shall not be wanting.

Mr. Clarks[2] general Character and your so full Commendation of the man, entitle him to very much of my esteem, and Confidence, —I have as yet seen but little of him, but Certainly shall treat him with marked distinction.

With great respect, I am

My Dear Sir

your very humble servant

(Signed) Winthrop Sargent

His Excellency

General James Wilkinson

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[1] Anthony Hutchins.
[2] Daniel Clark.

To Mr. Welch (Indian Interpreter).

Natchez November 14th 1798

Sir

I Received your favour and am well pleased with your past exertions,— You may Calculate upon my interest to serve you, in everything wherein I can Consistently do it.— This Letter is to ask your services in apprehending Zachariah Coxe, a Prisoner of the United States, and sending him to me at Natchez— By so doing you will render very important good to our Country, —He escaped from the Fort here on the Twentyfifth of September last, and is to pass from New Orleans through the Choctaw Nation, and probably by the Tombigby Settlement. If he is taken send him under care of some Confidential Characters, who will not suffer him to escape. I am &c &c

(Signed) Winthrop Sargent.

Mr... Welch
Formerly an Indian Interpreter at Natchez.
Tombigby.

To James Mitchell.

Natchez November 14th 1798.

Sir

I send to you an Express, with a Letter for Mr. Welsh open for your inspection, I pray you to use every exertion to take Coxe, and send him to me— You will thereby render very important Services to the United States, I shall cheerfully discharge every Reasonable expense attending the same — The bearer of this may be detained if Necessary to assist in bringing on Coxe, if he is to be taken, and it seems to me more than probable he may pass in your Vicinity.

I am Sir,
with much Consideration
your humble servant,
(Signed) Winthrop Sargent.

Mr. Mitchell

To James Wilkinson.

Natchez 14th of November 1798.

My Dear Sir

I Received your favour with the enclosed paper of Kentucky, and am truly distressed at the most abominable Spirit which seems prevailing there,

In Consequence of your advice, and Calculating upon the Funds under your Controul, I have dispatched a Confidential Character, James Stuart to Mitchell with the Choctaws, and thence to one Welch of Tombigby, request (ing)— them to apprehend Coxe.— Stuart has been sworn to secrecy, and entrusted with the Business, so that he might himself apprehend him, if good fortune should throw him in his way.

"Entre nous" I have had a very long *Confab*, with Colo Huchins, for the first time since I have been in the Country—He seems a little alarmed at something, and most solemnly protests, that every assertion which he has ever made in relation to yourself, was from the Authority of ——— and would I am persuaded if required, make such a Deposition for himself, as should place his Conduct to all but unbelievers, in rather a meritorious Point of View than otherwise,— But of this *more* when we meet.— and in the mean while you will observe the preparatory Caution. I have employed an Interpreter and have drawn Rations for him— If you Cannot Consistently admit this, I must Endeavour to make some Contract myself, not only for the present purpose, But Occasionally to give a little Bread, and Beef, to the Indians, who are too much troubling me.— I request when you order them any whisky, they may be obliged to take it out of Town, otherwise they will give me great trouble.— *Drunk* a few days past, *they* had almost Committed Murder.— Natchez from the perverseness of some of the people, the Ebriety of Indians and Negroes on Sundays, has become a most Abominable place.— I must myself in the absence of the Judges, aim at some Police, but

'twill be ineffecutal without aid of the Garrison,— Can you be good enough to Command it.

Accept my best Wishes, and believe me
to be,
My Dear Sir,
very affectionately
your friend and humble servant
Signed Winthrop Sargent,

His Excellency General James Wilkinson,

To Cato West.[1]

Natchez 23d November 1798.

Sir

I have received from you several Letters mentioning Vacancies, in the Legion under your order, with a list of persons recommended to supply some of them, but not all.

I have desired Major Gorault to Confer with you, so that at last, I may render this Business by one *order* final, and which I would wish, might also embrace the Subject of the Uniform, and all other matters that may be noticed in that address, which you inform me is to be presented,— As the Multiplying of writings if not absolutely Necessary, I would avoid, the same interfering with other engagements, of no inconsiderable public importance. You have written to me Sir, in strong adverse terms to the placing of a Prison for the upper District at Union Town, where I am assured, by some respectable Authority, Lands will be given for public uses,—the Jail Built by private Subscription, and also a house for Courts supplied upon the same terms, until a suitable Building can be provided for.

As I have respect for your Judgment, knowledge of the people, and Country, I have to desire you would give me information of any place, uniting more, or equal Public Convenience, with the

[1] Afterwards Territorial Secretary in Claiborne's administration.

disposition to erect a Prison, free of Expense to your District, I am,

Sir,

with much Consideration,

your most obedient

(Signed) Winthrop Sargent.

Col. West.

To Messrs. Peter Walker and Lewis Evans.

Natchez November 24th 1798,

Gentlemen,

The Timber for a Jail[1] in the lower District of the Mississippi Territory, being now at the Landing of this place, ready to be transported to a proper site, for erecting such a Necessary Building, I have to request, you would View the Grounds in, and adjacent to the Town, and fix upon some suitable spot, having in View all the Requisites for the Occasion, amongst which are principally, Salubrity of Air, facility of supplying water, Necessary Security, in case of intention to Rescue from confinement by appeal to the Inhabitants, and the Expense of possessing sufficient Grounds, not only for the Prison, but a Court house,— I wish you to Counsel with Judge Bruin upon this Business.

(Signed) Winthrop Sargent,

Messrs Peter Walker & Lewis Evans,

To Monsieur. Filhiue, Commandant Fort Mero.

Natchez Mississippi Territory

December 1st 1798.

Sir

Being perfectly disposed to aid the operation of Justice in Benefit even to Nations unconnected by amity with the United

[1] This was the first building erected in Mississippi Territory for public purposes.

States, and persuaded that 'tis their intention to Consider Spain in a Very favourable Point of view, I am anxious Promptly to deliver over, to your Justice, the fugitives therefrom, and Could not hesitate a moment to surrender any atrocious Malefactor, escaping from your Government, and found within this Territory, had not an Asylum been granted, to a most abandoned offender against the United States, within the Province of Louisiana. His Excellency the Governor General believing the Treaty made no Provision, to Authorize his giving him up at my request; having however no reason to alter an Opinion then Expressed (save the Example of his Excellency) I shall demonstrate my Zeal in the cause of Justice, and the Amities of my Nation, by arresting Palmer, if he is to be found within my Jurisdiction,— of which I shall advertize you, and demand Instructions from the General Government of the United States, I am &c &c

(Signed) Winthrop Sargent.

Monsieur Filhiue Commandant Fort Mero

To Cato West.[1]

Natchez December 4th 1798

Sir

I now enclose you a Complete list of Officers to the Legion under your Command— Not however According exactly with your Nomination,— but no Consideration of a Private nature, will I trust Operate in your mind to the injury of service.

Although Major Harrison had actually made his resignation, yet as the cause was absolute necessity, and not dislike to service, and so soon as such Necessity ceased he signified in a manner very reputable to himself, a desire to act in any Station, for which I might believe him Qualified— he ought not to be excluded, and he Certainly seems very Capable of Military Service. You men-

[1] Col. West soon become one of the leaders in opposition to the Sargent administration.

tioned to me in your last, Letter, that you were assured people would Generously Contribute to Building a Jail &c— if it was to be in any "nearly proper Situation"— if you will inform me of such situation, with full assurance of the Necessary Buildings, I shall sanction the same without delay, Provided that if the situation which may be proposed should be remote from Population, the advocates thereof, will give security to the Jail, till it acquire it by sufficient accession of Inhabitants.

The Prison being now most absolutely necessary, and it appearing to me also, that no new delay should take place in designating the seat of Justice, I wish to receive from you, a reply to this Letter so soon as is Convenient. I am

Sir,

your most obedient servant,

(Signed) Winthrop Sargent.

Lieutenant Col. Cato West.

Militia Orders.

Mississippi Territory

December the 4th 1798

The Governor has taken the earliest opportunity of signifying to the Gentlemen Officers, of the Northern or upper Legion, his approbation of their Choice of Uniform.—desirous of promoting their wishes by every means in his power, he will make application to the Supreme Executive of the United States, for a supply of Arms and Accoutrements, as they have proposed, so soon as a Complete return, of deficiencies, shall be made unto him.

Lieutenant Colonel West, having reported some Characters intended for officers in the Corps under his Command, as declining the honour and *duty* of Serving their Country, the Governor has so filled up the Vacancies thereby Occasioned that he persuades himself, the Legion could not have been better officered.

The following is the list of Gentlemen, who are to be Commissioned, so disposed According to the best information which

the Governor has been able to obtain, as will most promote their general Convenience, and the good of service.

Cato West Esquire Lieutenant Colonel Commandant.
John Gerault Esquire Major of Cavalry,
William Thomas, Henry Green, and Thomas Calvit Esquires Captains,
James Truly, George Salier, and John Brooks Gentlemen Lieutenants.
James Spain, Jacob Stamply, and John Rumsey Gentlemen Cornets,
Richard Harrison Esquire, Major of Infantry,
Roger Dixon, Arthur Carney, and Tobias Brashears Esquires Captains.
James McIntyre, Gibson Clark, and George W. Humphreys Gentlemen Lieutenants,
Charles Boudman, James Davenport, and Eden Brashears Gentlemen Ensigns.
James McIntyre. Adjutant.

They are to be obeyed, and respected, agreeably to their respective appointments, and Military usage.

Given at Natchez date before mentioned
by
(Signed) Winthrop Sargent
Governor and Commander in Chief
of the Militia.

To James Mitchell.

Natchez December 10th 1798

Sir

When I saw you here, you were told, and truly told that I was not possessed, of the means of making any presents to the Indians; that it was uncertain *when* and what supplies I might receive for such purpose, and that I Certainly could not expect any until the rising of the Waters, that therefore the Indians

should be put off with fair words untill deeds were in my power, of which you should be seasonably advertized, and further that *the large War party* destined for this place, coming on with the expectation, which it seems you had inadvertly Encouraged, of receiving Ammunition from me should be put back, or turned aside,— *They* however came on, and unprepared as I was to meet them, I sent them off in tolerable Temper, not however without a great deal of Drunkenness, and Consequent mischief from them and others who in very Considerable numbers are every day Visiting me— Scarcely was I well rid of this War party, 'ere I received a long List of very great men, as you have represented them, that you had permitted to Visit me, and upon the good reception of whom, your well being, and the interests of the United States, very much depended— Upon my own order therefore, I made some provisions for small Donations, believing that here the Business would have had a pause, But every day Sir, I find Chiefs and great Captains, coming in with your passports, and whose expectations from assurances, they inform me they had from you, are very much raised,— 'tis a Misfortune to the United States, a source of great Anxiety to me, and perhaps may be an injury to you, that I can not answer them, but 'tis really out of my Power, nor do I believe General Wilkinson has the means at present.— But I am not informed what Indian Goods may be with the Military, or what the Choctaws have ben led to expect, from them, for to the present Moment, I am ignorant of the Correspondence, and Communications, between you Captain Guion, and the preceding Commandants in this Territory. I am,

Sir,

your humble Servant,

(Signed) Winthrop Sargent

Mr. Mitchell

Agent with the Choctaws.

To Timothy Pickering.

Natchez December 20th 1798
Mississippi Territory

Sir

The Inhabitants of this Country have solicited, that the Honourable Congress, would be pleased to extend unto them, similar Benefits with those ordained, for promoting religious purposes, and the advancement of Seminaries of Learning, in Districts of their Northwestern Territory — I take leave Sir, to enclose their Address, requesting the same may be laid before Congress.— the Advantages which will result from Granting their Petition, are so obvious, that I forbear an Observation thereupon.

In several of my former Letters Sir, I have presumed to express an opinion, of the Necessity of early attention to the Land Claims of the people *here*.— soured by the seeming inattention of the General Government, which no doubt is insidiously Blazoned, by Spanish Emissaries, we are loosing of the Inhabitants whilst discontent is every moment encreasing amongst those who remain behind,— and indeed it is not very strange, that *so* it should be, for destitute of Municiple Laws or efficient Magistrates, our state is truly deplorable, and until the arrival of the Judges, it Can not be otherwise.— Diffused over *our* Country, are Aliens of Various Characters and amongst them the most Abandoned of *Vilains* who have escaped from the Chains and Prisons of Spain, and been Convicted of the Blackest of Crimes— It would be wise and good Policy, I should Conceive Sir, that Provision might be made for promptly extirpating such from our Territory, for 'tis enough for to Correct and punish *our own* Crimes, and even *this* seems at present totally beyond our Ability— We have no Prisons, no sufficient places of Confinement, and the Vilest offenders therefore Calculate with some Certainty upon impunity.—I have done every thing in my power, *more* perhaps, but I trust necessity will plead my Justification,— All however is inadequate, and very Just Causes of

Complaint will remain, till some Complete system for our good regulation, be adopted which I most fervently supplicate may no longer be delayed.— I pray it for the sake of the people, for the fair Reputation and Dignity of the United States, and for my own honour peace and quiet:— I am *here* Sir, a mere Cipher, and Tortured by Ten Thousand evils, which I can not remidy or redress.— My situation is distressing, and but for the Continuance of hope would be truly Wretched.

The Task of the Judges and myself will be more and more arduous as they shall delay coming to the Territory; released from Spanish Bondage, this Country would have reecived with Rapture, any Code of Laws from the United States, but being almost in a State of Nature, since their Emancipation, the very mildest statutes, I am apprehensive may be Considered as oppressive,— I shall however you may rest assured Sir, Continue to use my best endeavours, at all times to Conciliate them to Good Government, and the National Interests, remembering *always* my duty, to the Sovereign Authority.

The Population of this Country Sir, as I have already assured you is small.— Very inferior to the Adjacent Establishments in Louisiana, and this Consideration, in our distant and defenceless state, upon any Occasion of Disgust with the General Government, might incline them to seek a reunion with their old Province.[1]— A liberal or Equitable decision however upon their Land Claims would I should believe produce a preference for the *United States,* But remaining a very small people a mere handfull of men, their apprehensions from red as well as White Neighbours might Nevertheless, induce a Conduct Nationally injurious,— To provide against which Sir, I humbly Conceive it would be very good Policy, to open as immediately as possible, in this Country a Land Office,— and Encourage Settlements to a Considerable Population,— for with our present numbers. we are in Continual Anxiety from the Choctaw Indians,—*They* are almost always in our settlements, and living upon *us*—

[1] It was the policy of the Spanish Government to offer special inducements to settlers by liberal land laws.

Their numbers so great that the defenceless Planters, are very oft. fair to sacrifice almost their whole Crops,— for the Preservation of their lives, and it not unfrequently happens, that those Indians are Nevertheless Insolent,— I trust and pray Sir, for and in behalf of the Inhabitants of this Territory, and myself that some measures may be taken, to remidy this almost intolerable evil.— It was somewhat Complained of under the Spanish Government, but as they took care to furnish those presents, which it was always their Custom to bestow, in places remote from Plantation Settlements, their sufferings were not so great as ours—

We must I Conceive Sir, submit to make the Choctaw Indians Annual Presents, or be at War with them, for Individuals will not always be Constrained to perform *this* perhaps duty of the Public, they will resist with Temper and Violence, and Hostilities be the Consequence.

A few more Inhabitants to make us respectable and some formal Covenant for regular and stated presents, to the Indians would I believe put us right —their presents however, should be made at a distance from our settlements, for but to preserve amity with the White and red people, is to keep them far apart— I would wish Sir, to give you a good and satisfactory account of the Millitia, but they are not so arranged as to enable me to make unto you a Complete return,— I suppose however they will amount to about Eight Hundred, but very destitute of Arms— one half this number will be Cavalry,— They are desirous of receiving Arms from the United States, by purchase, and if the same could be Complied with, and such sent on, it might be Beneficial to the Nation, as well as Individuals of this Territory. My own opinion is Sir, that the Horsemen of this Country, should be armed with one Pistol *Only*, Swords of Straight Blades,

and Short Carbines with long Bayonets, which would enable them to fight on foot, as well as on Horseback.

I have the honour to be,

Sir, &c &c

(signed) Winthrop Sargent

The Honourable Secretary of State.

To Adam Binghaman.

The Grove 20th of December 1798.

Sir

Yesterday was put into my hands a note from you that I suppose may have lain some time in those of a servant of mine in Town—Informing me of a Melancholy event which had taken place in your Family, and the determination to decline your office as Major of Militia.—

For the death of your Child Sir, I am truly sorry, and sincerely sympathize with Mrs. Binghaman and yourself.—I had believed that this Misfortune to your family, could not have annulled the Obligation of *your Promise,* to perform the duties if the Commandant of Infantry in the Southern Legion, until the Militia was Organized Completely &c. You were appointed under a full persuasion that you was of Character Unequivocally American, and I could Conceive no sufficient Cause for *such* declining those duties, which every man wishing well to the present Government, under the order of the United States, is in honour bound to perform,— There are some perhaps within this Territory who may deprecate all allegiance to the United States, and *others* who have a Predelection to the state of Nature.— But I flattered myself Mr. Binghaman came not within the discription, of either of those Characters,— Be *this* however as it may, I deem it Encumbent upon him, to make report of the state of the officers, men Enrolled under his Command, and a return of the Orders which were given, for his Government,

at the time of his appointment, before he can believe himself released from the Obligations, of *duty* and of *Promise.*

I am Sir,
your most obedient humble servant
Signed Winthrop Sargent

Mr. Adam Binghaman,

To Timothy Pickering.

Mississippi Territory December 11 1798

My Dear Sir

The absence of the Judges Continues us yet almost in a State of Anarchy, and is truly distressing to me.— I know not what will be the End of it,— the Secretary has been so very ill ever since his arrival in the Territory, that it is doubtful if he can recover— and to Multiply my Embarrassments, the Indian Agent with the Choctaws, (Samuel Mitchell), is crowding me almost every day with some of their Chiefs, and I have been Constrained in Consequence to purchase Blankets &c. to the Amount of nearly four hundred Dollars, for which I have drawn a Bill in favour of Mr Abijah Hunt, and which I request you would Cause to be duly honoured.— It has been fortunate, perhaps that Mr Hunt was here, for otherwise I might not have obtained Credit, and the Indians been if possible more dissatisfied— They have *indeed* Cause of Complaint, for by Mr. Ellicotts Indian Communications, it appears they have been promised very much, and I verily believe as yet Little has been performed. It Certainly seems advisable for Government, (if 'tis the intention to Continue this Country tenable) for the *present* somewhat to notice the Choctaw Nation, and to provide immediately for Populating sufficiently hereafter this Frontier Confine,— for the few scattered Inhabitants of the Territory, are every day thining by the Machinations of a Doctor White,[1] (formerly of Congress,) and other malcontents.—

[1] White moved to the Spanish possessions, and attempted to carry a colony with him.

Coxe who has had some Communion with those people is I believe about Establishing himself, with his Banditti, somewhere within the Spanish Line, and I am more confirmed than ever, that very improper Countenance was shown him by Governor Gayoso, but upon this head General Wilkinson has Communicated so fully, that nothing is left for me to add.

Coxe has seemed to me under the present Circumstances of the upper Country as *we* receive them so Capable of doing great Mischief, to the United States, that I had sent off a runner to the Choctaw Nation, requesting the Agent to arrest him *and* bring him back in case he should take that route from Orleans.— No 1. 2. 3. & 4. will place this Business fair to your View, and perhaps Convince you, as they have me, that our Agent is either Knave or fool, but I strongly suspect the former.— The mere Circumstance of Coxes being in the Indian Country, without a passport should have been Enough for the Agent to have had him arrested and brought back— However as he is of Colo Hawkins's appointment, and I am totally uninformed of his Character, I have been silent, but you can not doubt he has entirely lost my Confidence, or of my desire that he should be immediately disgraced, by removal; upon which subject I request you to instruct me.

In the Choctaw Nation we should have a man of respectability and influence, for we must Calculate upon having the Spanish interests Jealousies and Malevolence to Contend with.

Before I close this Sir, I take leave to observe that it seems Absolutely Necessary, I should be furnished with some Fund for Contingencies.—Had it not been that Mr. Hunt was willing to take my ———— Draught, I must have been very much distressed, by the Injury which would have Accrued to the Public Besides the Indian Goods absolutely Essential in this Department, I must often incur Expense for Expresses, and other

public Purposes, as well as *some* which perhaps should be secret.

I have the honour to be

Dear Sir

your very humble servant

Signed Winthrop Sargent

The Honourable Secretary of State.

This Copy was sent by express from Maj. Cushing and who set out on the 10th of Aug. 1799 for Nashville.

A Copy of the foregoing from the first page was made for transmission to the Secretary of State, to which was annexed a Certificate in the words following Viz.

I do Certify that the foregoing Pages from No. one to one hundred and five (inclusive) Contain a Copy of the Journal of "the Proceedings of the Governor in his Executive Department" from the 21st of May until the 31st of December 1798—

Given under my hand and seal as "Secretary" in and for the Mississippi Territory in the County of Adams, this eighteenth day of June in the year One thousand seven Hundred and Ninety nine John Steele [*L.S.*]

To Peter Bryan Bruin.

Natchez 1799 Jany. 3

The Governor has received the note which Judge Bruin has been good enough to send him, enclosing the Letter from Mr. Brashears— Will Judge Bruin be so Obliging as to signify to Mr. Brashears the Governors full approbation of his Zeal in the service of his country— the sound Judgment of a few such well disposed men as Mr. Brashears will be sufficient to Counteract the Machinations of more cunning, and more Mischievous Characters than the Burnet he has mentioned. Burnet however should in the opinion of the Governor be immediately noticed by the Judge, and if his conduct has been such as is represented he ought to be Committed to Prison unless he can give very good

security for his future good behaviour. A man by name of Burnet, and probably the same, mentioned in Mr. Brashears's letter was reported to the Governor upon his arrival in the Mississippi Territory as a most inveterate Foe to the Americans generally, and that he had been known publicly to Express his Wishes that every *one* of them coming to this Country might be massacred or forced to return with the Loss of his scalp.— Surely no people of the United States can be so misguided *then* as to believe such a Character a proper Reformer of any Government *even* in the worst possible situation of men and things.

January 3d 1799. Natchez

To Peter Bryan Bruin.

Tuesday Morning 7th of January
1799 the Grove

Dear Sir,

I hope to have met you in Town the day before yesterday and been informed what steps were taken with that Incendiary Burnet.— It will be proper I should be present at his Examination at least I wish it— The General is very much displeased at the liberties he has taken with his name and the falsehoods he has uttered— The General writes me that desertion is prevailing in his Camp to the most alarming degree.— It can only be prevented by some stipulation with Governor Gayoso, which it seems he is willing to enter into.— I propose therefore immediately to issue my Proclamation that no Foreigner shall be permitted to enter the Territory without a passport from the Supreme Authority whence he has Migrated which must be duly authenticated by seal and signature— Be good enough to give me your sentiments upon this Measure.

With respectful esteem I am
Dear Sir,
yours &c &c
(Signed) Winthrop Sargent

The Honble Judge Bruin

To President John Adams.

January 8th 1799.
Mississippi Territory

Sir

At the Special desire of the Inhabitants of this Territory, I have the honour to transmit unto you their enclosed address, Though deprecating with them in great Measure a War for the United States, I feel nevertheless all the impatience of a soldier at *Public Wrongs* and so far as I may confide in my zeal, attachment, and intentions for the honour and Independence of our Country, I take leave to Pledge myself to the Utmost of my Power at the head of this people, or in any other Station Government may place me, for every possible personal exertion to their service in peace *or in War.*

With every sentiment of respect,
I have the honour to be,
Sir,
your most obedient
most devoted servant
(Signed) Winthrop Sargent

The President of the United States.

To President John Adams.

Private. January the 8th 1798
Mississippi Territory

Dear Sir

In transmitting an Address from the people of this Territory an opportunity is offered of most respectfully tendering my very best wishes to you and Mrs Adams at the least hazard of intrusion and I take leave also of assuring you of my sincere desire to be useful to you in this Country— you can not indeed Sir afford me a much greater Satisfaction than by directing how I may Contribute to your pleasure or your service. My Public

duties to the President of the United States important as they are impressed upon my mind produce not more devotion than my Respect and Admiration of his private Character.— With such sentiments Sir it can not be doubted I received the information of your Election to the so Dignified Station with almost ineffable pleasure —I believed it amongst the very highest order of Blessings for my Country and have been rendered happy by the assurance that every Act of your Administration has tended to make new Converts to *such faith.*

Early Sir should I have come forward with most respectful Salutations to the President but my humble Station offered not the Occasion. Though possessing a soul as firmly attached to Government as any man in the Union, I dreaded to *intrude* and from the same motive I add only most sincere prayers for the uninterrupted felicity of yourself and Mrs Adams.

I have the Honour to be with most respectful
Consideration,
Dear Sir,
your most Obedient and devoted servant,
(Signed) Winthrop Sargent.

The President of the United States—

To Timothy Pickering.

Mississippi Territory
January 8th 1799

Sir,

My intercourse with the Atlantic States is so very Seldom, my knowledge of Gentlemen in Congress *now* so imperfect that I am Constrained to trespass upon you for the disposal of the enclosed Petitions instead of Addressing myself immediately to Gentlemen of the Senate and house of Representatives, I will suggest however a wish, that if Mr. Ross be at Present of the Senate and Mr. Otis of the House that they may be brought

forward through the Medium of their favour.— persuaded that if the same Accord with the National Views and intentions they will by those Gentlemen be most ably advocated. I have Sir in many of my public and private Letters Heretofore said so very much upon the Policy of early Attention to the Land Claims of the People of this Country and liberal Confirmation where neither fraud or Chicane have been intended, as well as upon the great Public Advantages which in my opinion would Accrue from encouraging settlement to such an extent as might Constitute us a sufficient Barrier against a Foreign Enemy and render us respectable to the Indians that Little more is left for one to add upon those important subjects.

A Copy of a Proclamation which I have issued to prevent intrusion upon the Lands of the United States has been transmitted unto you and I have taken no other Measure which might have a tendency to alarm or disturb settlers of any description whatever: some who had established themselves here before and since the Ratification of our Treaty with Spain *even* to within a very short time of my arrival in the Territory without any authority whatever and who have stated to me their particular Cases, I have permitted to remain in quiet possession, until the pleasure of the General Government be known— Expressing however upon all Occasions the Determination to remove any who have presumed to intrude themselves upon Vacant Lands since my arrival within the Government; And this Sir as the Guardian of Public property I believe Encumbent upon me— Nothing doubting but that Congress will express their full approbation of such Measure by the decisions which they may hereafter make in Regard to the Possessions of the people of this Country.

From the very liberal Donation of Lands to the Inhabitants of the Western Counties in the North Western Territory the settlers within this Government have it seems been led to make some Expectations with which I am inclined to believe it is not the Spirit of present times to Comply.

The Donations to the Antient Settlers, and the Militia of Vincennes and the Villages upon the upon Mississippi are urged to me as reasons for the future Bounty of Congress, and I am strongly importuned for my solicitations in Point.

The local Circumstances of this Country Sir perhaps require for ourselves and for the Nation the best trained and the best Organized Militia and of Course a devotion of a greater portion of time than may be elsewhere Necessary in the Union— And this being bestowed some Consideration might possibly be due us. But I am sorry to say I have not yet experienced a disposition for extraordinary services to the United States— Considerable opposition has been made to my endeavours at Military arrangements, and the Militia are not yet Completely enrolled— Though but only released from the most servile Bondage they would immediately assume all Government— And the Appointment of their Officers Civil and Military is a measure Advocated by some wicked and designing men amongst them, I flatter myself however that sober sense will prevail and that the speedy arrival of the Judges who I am informed are upon the River set all right

I have the honour to be with every sentiment of respect
and esteem, Sir
your most Obedient humble servant
(Signed) Winthrop Sargent.

The Honourable Secretary of State.

To James Wilkinson.

The Grove near Natchez
Dear Sir, January 8th 1799,

I have been honoured with your two favours of the 31st of December and those of the 4th and 6th instant with the depositions &c relative to Coxe which are strong indeed to my mind in proof of his manifold sins and transgressions— But yet not

sufficient to Demand him from the Executive of Tennessee— Where probably every legal formality will be required— Wickliff and Priors depositions, or either of them, Authenticated before a Magistrate Mr. Clark if you please, are all however that are necessary and if the Deponents be in your quarter I request you would furnish me with the same without delay— In the mean time I will cause search to be made in the Neighbourhood of Natchez and if *there* to be found I will effect the Essential before Judge Bruin.

The Expenses of apprehending and bringing Mr. Coxe before the Tribunal here must be a Territorial Expense, in the first Instance though in the End the United States ought and will no doubt Reemburse it— this Consideration will apologize for my asking such Military Aid as may safely guard him to this place: perhaps it would be Convenient to give his Escort from Lieutenant Colonel Butlers Command.

Your Excellency's Statement of the Prevalence of desertion from the Army under Command is to me as well as yourself very alarming and ought I think to Justify my prohibition to all Foreigners from entering this Territory without passports duly Authenticated by Seal & Signature from the Supreme Authority whence they may come provided such *Rule* be observed in Louisianne *also* but for effectually carrying into Execution a Mandate in Point, I must make my reliance upon the Vigilance and Patriotism of the Militery Principally. I Authorize you however My Dear Sir to make assurance to Governor Gayoso that I will issue a Proclamation to Prohibit the Inhabitants of Louisiane from entering this Territory but by his permission *Conditioned* that he makes such order as may remedy the evil of desertion— "But "entre nous" I will ground my Mandate upon the aggravated Civil injuries and public Wrongs sustained by us and which in great Measure I verily believe should be Attributed to the influx of Spaniards from below,— Your Express

waits I can not therefore add more my dear Sir but the best Wishes of

Your affectionate
(Signed)
Winthrop Sargent

His Exy
General James Wilkinson

To Thomas Butler.

Mississippi Territory January 15th 1799

Dear Sir

I have demanded of the Executive of the State of Tennessee that Zachariah Coxe who was Confined within this Territory for high Crimes and Misdemeanors against the United States and who has escaped from Justice should be apprehended if to be found within the said State that he may be brought back to receive his trial here.

I have to request you would be pleased to furnish the Necessary Guard for bringing him back in case he should be apprehended and that you would be good enough to Signify your inten- (tion) of so doing to the Governor of Tennessee as the same must be the most certain and least expensive mode, of Accomplishing such Object— You will not I am persuaded need apology for this Application as the interests of the United States are Implicated therein,— I have informed Governor Sevier that you are duly authorized to appoint an agent to receive Coxe.

With Respectful Consideration I am,
Dear Sir
Your most Obedient,

(Signed)
Winthrop Sargent,

Col. Thomas Butler,
Commanding the Troops of the United States in the State of Tennessee.

To John Sevier.

Mississippi Territory January 15th 1799

Sir

Under the Authority of the Act of the United States Respecting fugitives from Justice I have to request of your Excellency that Zacariah Coxe, who has been in confinement *here* for high Crimes and Misdemeanors and escaping some time in September; is said to be now in the State over which your Excellency presides should be arrested and delivered to the application of Colonel Thomas Butler Commanding the Troops of the United States within your Government or notice transmitted unto me in case he should not apply in order that the said Coxe may be brought back to answer before the Supreme Tribunal of the Territory upon the charges which are alleged against him.

That my demand Sir may have all the essential formality I enclose unto your Excellency the Depositions of Robert Prior and and Martin Wickliff which as you will observe were both originally made before the Judge Advocate of the Army because I believe no civil Magistrate could then with any convenience be applied to and the Deponents would necessarily have been called before a Civil Court in the Event of a Trial.— Prior your Excellency will observe has again been sworn and before a Magistrate of my appointment — Wickliff is at present out of the Territory but I certify to your Excellency that full faith is in my mind due to Mr. Hyde before whom his deposition was made and that they are (*both* of them) as authentic as the time place and circumstances in which they were taken would admit.— And further that there is in my possession other and equal Evidence in Proof of what is alleged in Wickliffs deposition against

[1] The journals of Gov. John Sevier from 1790 to 1815 are on file in the Mississippi Department of Archives and History.

Coxe, and of Crimes not there noticed but which it is Unnecessary to detail to your Excellency.

With very Respectful Consideration I have the honour to be,

Sir,

your Excellencys,

His Excy
The Governor of
Tennessee.

Most obedient humble servant
(Signed) Winthrop Sargent

To Timothy Pickering.

Mississippi Territory January 15th 1799

Sir,

By Judge Tilton who arrived here on the 9th or 10th instant I was honoured with your favours of the 2d of august (circular) relative to our Envoys in France— 6th do covering the same with the notice of Laws &c forwarded me,— and 31st of August public and private— The Judges Boat was too small to permit his bringing me on the Stationary or indeed ought save the Laws of the two last sessions of Congress, the Seal[1] for the Territory, Commissions and the Instructions to our Envoys in France *which* I shall distribute according to the intention of Government.

The Judge's arrival gives *us* (authority) to Legislate— it was most essential and we will set about it without delay though with much regret on my part at the want of the Laws of the several States, as we must be compelled to form our Code from the Volumes of the Northwestern Territory, which I by no means can be induced to believe a very good Basis.

If I mistake not Sir I have already advised you of the number of seals with the Inscriptions which I believe proper for this Territory but my papers being with the Secretary and the bearer

[1] The Great Seal of the Mississippi Territory, which was brought by Judge Daniel Tilton, one of the Territorial judges, followed in design the Great Seal of the United States, with changes in lettering. It bore date of 1798, and was furnished by Secretary Timothy Pickering.

of this setting off immediately I can not exactly determine in season for advertizing you by this Conveyance.

By your observations Sir upon Indian affairs am relieved from some embarrassment, and find myself very much obliged— I persuade myself that Government will speedily Ordain the due arrangements to System and the full Execution of the Laws regulating the Superintendents of the Indian Concerns.

In former Letters Sir I have taken leave to State to you the Necessity of holding a Treaty with the Southern Indians— Entering into certain stipulations to keep them apart from the white people, with their Expectations founded upon promises of Mr. Ellicott & our practices to the Northern Indians that they would receive some annual presents from the United States, I shall therefore delay farther Communication with them than they absolutely Constrain me to until the pleasure of Government to my special Instruction in Point may be signified, For as all Indian Conferences are Expensive it is certainly best our first should be express and definitive. I have Sir written unto the Governor of Tennessee of this date demanding of him Zacariah Coxe as a fugitive from Justice and who is said to be within his Government— I have accompanied my demand with the Depositions of Prior and Wickliff which have been transmitted to our Executive by General Wilkinson— and I persuade myself this proceeding may obtain tha approbation of Government.

Upon a representation formally made me of desertion so prevailing amongst the Troops as to hazard the loss of almost all our *Little Army* in this Country and some Overtures from below through General Wilkinson to enter into Stipulations to prevent it. I have adventured to give assurance that I will prohibit foreigners from coming into the Territory without authentic passports until the pleasure of the General Government may be signified to the Contrary, provided the same to be reciprocated by Governor Gayoso and I have good reason to believe

the advantage will be very much with the Territory, by preventing an influx of the very worst of men.

With the highest respect I am,

Sir,

your very humble servant,

(Signed) Winthrop Sargent.

The Honble Secretary of State

To Timothy Pickering.

Grove near Natchez January 17th 1799

Dear Sir

I have been honoured and Obliged by your favours of the 8th 10th and 12th instant:— and Mr. Robinson has received my dispatches for Philadelphia— The Letter to Governour Sevier demanding Coxe and a request to Col. Butler for the Escort in case he should be apprehended. Mr. Burnet called upon me denying the allegations made against him in Brashears's Letter which had been previously submitted to Judge Bruin and of which I informed him. Your declining to transmit the Address[1] of this people to the President of the United States, and their petition to the senate and house of Representatives, meets my Idea of Delicacy and propriety, for I should believe myself highly reprehensible in interference with any matters merely Military. The same Characters addressing your Excellency upon the Premises made a Deputation to me with some minutes of their proceedings from which it appeared that your Excellency and the Governor of this Territory were to be requested to transmit their Address Petition &c— They informed that they were instructed to solicit my sentiments as to the style and matter thereof, and that the reason of your Excellency's being associated with myself was for the avail of our Joint Influence.— I observed to them that so far as their wishes might comport with National Interests I should always believe it my duty to promote them by all

[1] The people petitioned for the right to elect their militia officers.

tha means in my power, that I would *alone* present their Address and the petition with certain alterations which I suggested, provided the same was requested of me in writing and that I believed myself their only proper Organ of Communication to the Supreme Executive or General Government, but that I should make no objection to any application they might be induced to make to your Excellency— and by Mr. Robinson I have forwarded *them* with a Letter in which they were inclosed unto me.

In my Address to the Governour of Tennessee I transmitted not only Priors but Wickliffs deposition also, giving to the latter all the Authenticity which a Certificate of Mr. Hyde's Character, and the almost impossibility of application to a Civil Magistrate when it was taken may effect— And for another Copy therefore I have to request. I have no papers or Letters later than the 31st of August at which time the public offices were at Trenton— The Secretary of State promises me the sevaral Prints from Philadlphia in which he observes may be particularly useful in case of the establishment of a Press in this Country.

With respectful esteem I am,

The Honourable
Secretary of State.

Dear Sir
your most obedient
(Signed) Winthrop Sargent.

To Benjamin Hawkins.[1]

Mississippi Territory February 1st

Sir

Your Letter afforded me very much satisfaction by the assurance of your being with the Creeks, and their proper Consideration of present circumstances and good disposition towards the United States.

I had been induced to believe they had banished you their Nation and been endeavouring to excite the Choctaws

[1] Agent to the Creek Indians.

Chickasaws and Cherokees to take up the Hatchet against the United States— The story of your exile came from one Mitchell an Agent with the Choctaws, and I believe by your appointment.— I like not this man, I believe him ill disposed and Ignorant of Indian affairs, but perhaps I mistake his Character —He however refused at my written request to assist a Messenger in the Choctaw Nation in apprehending Mr. Coxe who had escaped from confinement and aided him to take such route that he has avoided our Justice and returned to the Spanish Dominions by the way of the Establishment he called Smithland upon the Ohio River. Mitchell has very improperly encouraged the Indians to Visit me here though he knew I was unprepared to receive them, having descended the River at short notice and of course without the means of making them any presents— They have been taught by Mr. Ellicott and others to expect much and the disappointment may operate evil.— I have stated all those Circumstances and Considerations to the General Government and hope soon to receive their Order in Point.— of which I believe it proper that you be early informed, and under the present arrangement for the superintendency of Indian affairs in this Southern Department it seems to me essential to the Public Interests that we Communicate freely upon all Indian Concerns which shall come to our knowledge respectively and by this sentiment I will be governed.

I will add only Sir to Express a wish that we had an agent with the Choctaws fully Conversant in Indian Affairs of Strictest integrity and Character Unequivocally National.

With due respect and Consideration, I am, Sir

your very humble servant,

(Signed) Winthrop Sargent.

Colo Benjamin Hawkins,

Creek Nation

To Judge McNary.

Mississippi Territory March 2d 1799

Sir

I do myself the honour of Acknowledging your Polite Letter of Notice of Mr. Coxes arrest &c — which has some how or other however been delayed until the present date.

As there are various ways of an Officer's discharging his duty at this Crisis, and your honour seems to have pursued *that* best adapted to support the Interests and honour of our Nation (in dispite of Popular Prejudice and Passion) I can not avoid Expressing my most cordial satisfaction upon the Occasion, and the pleasure I feel in finding my zealous intentions to promote the Public Weal so Efficiently aided by a Gentleman of your well known respectability of public as well as private Character— I have already Addressed the Supreme Executive of Tennessee in demand of Coxe and I trust with due avail having predicated the same *Substantially*, in sufficient form of Law— if however there be the possibility of demur within your Observation I shall gratefully receive the Notice and will Calculate upon detention *Enough* to report my application — Mr. Coxe Sir has traversed the Indian Country within the Government over which I have the honour to preside without a passport, *which* is a Crime, amongst others, of which I have not advertized Governor Sevier, but of which it is not amiss perhaps at this time to give you information.

I have the honour to be with sentiments of great respect

Sir

your honours,

Obedient humble servant

(Signed)

Winthrop Sargent

The Honourable

Judge McNary

To Timothy Pickering.

Mississippi Territory March 13th 1799

Sir

In many of my former Letters I have stated unto you that a very Considerable number of Choctaw Indians were in the habit of resorting to the settled parts of this Territory and preying upon the people to their very great distress— that they had been led to expect some notice from the General Government in Consequence of promises made unto them by Mr. Ellicott, and our practice to the Northern and Chickasaw Indians and that I believed it very essential we should enter into some Covenant with them to prevent the Multiplied aggressions Complained of —Unless some remedy for the evils should shortly be applied we may and probably shall be involved in an Indian War— for the people will not much longer endure with nonresistance the Continued Spoliations of their property— and violence upon our part will no doubt be followed by open and avowed hostility— I have made and shall continue every Exertion in my Power for the common good.— I recommend patience and forbearance to the White people and assure the Indians that I have specially recommended them to the notice and Protection of the General Government, but I have of late been Constrained to declare that I would cause them to be punished with imprisonment and stripes if they shall persist in their Rapine & Plunder—and I have most Ardently to supplicate Sir immediate Instruction for my Government.

I have already Advertized you of the arrival of Judge Tilton, and in Consequence we are at Length Legislating but destitute of the Laws of the several states *we* necessarily make instead of adopting *them* the right to do which has heretofore been a Question— Very Diffident of my own Law Knowledge I feel Extreme Anxious for the presence of Judge McGuire[1] who I am taught to believe is a great professional Character.

[1] Judge McGuire was the only lawyer of the Court, and he did not arrive in the Territory until the autumn of 1799, when the greater part of the Sargent laws had been made.

The Stationary for the Territory arrived a few days past but there are not any Wafers adapted for the Territorial seal — The Presses have also come on but no seal for the district or Supreme Court— I have before informed you Sir that I would divide the Territory into two Districts the One of which should be called the District of Adams, and the Other Pickering— We shall need therefore a seal for the "Supreme Court," and One for each of the Districts, to be inscribed the seal of District *Mississippi Territory* inserting in the Blank the name of the District.

The Laws of the United States passed under the Administration of President Washington have not been received. In a former Letter Sir I took leave to state to you that some Grounds and Public Buildings at the Villa Gayoso supposed to be the property of the United States and also a house at Natchez neither of which were ever Occupied by the Spanish Military had been possessed by the Troops of the United States upon surrender of this Country and were held for Army Uses though they were unconnected with and Independent of all fortified Posts and places and might be very useful for Civil purposes— General Wilkinson has since caused the Villa Gayoso to be abandoned finding the same an encumbrance but retains the Building at Natchez, upon which and for the Disposition of those in the Villa Gayoso I have to request the Order of Government.

I have the honour to be with very great respect,

Sir,

your Obedient humble servant,

(Signed) Winthrop Sargent.

The Honourable Secretary of State.

To Timothy Pickering.

The following Private Letter was written by his Excellency the Governour and directed to be entered on the Journal.

Natchez March 13th 1799

My Dear Sir,

In some former Letters I solicited that so soon as I should have Organized this Government Completely I might be permitted to Visit the Atlantic States for the Adjustment of private Concerns important to myself and the Establishment of my health, the latter reason however thank God, is no longer in force but from a Connexion which I have formed in this country there has Originated One (to my feelings) equally important— Mrs. Sargent[1] a Woman of most delicate and tender Constitution, requires the Benefit of the Northern Breezes and sea air to preserve her for my happiness and her friends— to you Sir who are a husband and I fondly persuade myself my friend I need make no apology for this Address —Provided Sir the Storms which have so long been gathering in Europe should subside and all the due arrangement for the good Government of this Territory be made in season, may I be permitted to Visit Philadelphia in the Summer months by the Way of New Orleans— Or in case the Necessary Organization here should not be timously effected to enable me to make so long a Voyage would it be admissible that I pass with Mrs. Sargent a Couple of the Summer Months at Pensacola— a place famed in this Country for the Salubrity of its Atmosphere:— I would or wd. not as should be thought proper make my Voyage by New Orleans, or through the Lakes— Upon these subjects my dear Sir I have to request as soon as possible a line of Advice.

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[1] Gov. Sargent married Mrs. Maria McIntosh Williams a short time before the date of this letter.

My most Ardent Aspirations for the health of Mrs. Pickering and yourself and family are most respectfully tendered by,

My Dear Sir,

Your sincere friend, and Obedient humble servant

(Signed) Winthrop Sargent

The Honourable Secretary of State.

To Manuel Gayoso De Lemos.

Natchez March the 14th 1799

Accept Sir I pray you my very sincere and Warm thanks for your several favours to and inclusive of the first of March which my present pressing public avocations have prevented earlier Acknowledging— You are undoubtedly informed that the Territorial Judges with myself Constitute the Legislature for this Government, and we are now very much engaged in such Business[1] —I will take leave to transmit to you the Product of our labours Periodically on sheets as the same shall come from the Press, persuaded that you will take an Interest in which so importantly concerns a people over whom your Excellency has specially presided, and amongst whom you have so many worthy Admirers and friends.[2]

Your Excellency's requests will always receive from me the most Prompt Attention— Your Courier for upper Louisiane instantly received a Passport through this Territory and a special Accommodation to *that* of the United States Northwest of the River Ohio.

It is not the Order or Spirit of my Government to afford an Asylum to Fugitives of any colour or discription and I shall always liberally Construe the Laws and Ordinances of the United

[1] The first law of Mississippi Territory bears date of February 28, 1799.

[2] Claiborne states that Tilton and McGuire aided the Governor in concocting a code of laws which were in conflict with the Constitution of the United States. The great majority of the Sargent laws bear the signature of Sargent, Bruin and Tilton, and few are signed by McGuire, who had not arrived in the Territory when the first set of laws were enacted. Only two of the Sargent laws were abrogated by Congress.

States to enable myself to administer General Justice and perfectly Conciliate our Nations which I pray God may always remain in amity. The assurances which I have given Mr. Vidal relative to runaway Negroes seems to have been satiafactory to him and I trust will be to your Excellency— and I shall immediately set about effecting such regulations as may prevent deserters and other infamous Characters from coming within this Government which perhaps can not in any way be more readily accomplished than by making Certificates under the Signature and seal of the Supreme Authority essential to all Foreigners asking admission but whatever Measures may be adopted shall be communicated to your Excellency without delay.

And now Sir again let me offer the very grateful acknowledgements of Mrs. Sargent and myself to your Excellency and Madam Gayoso for all your kind affectionate and Parental Attentions to our child, we ardently long to see her and fondly hope she is at this Moment Winging her way to us.

In the course of events is it not possible we may see you in this Country—Mrs. Sargent and myself are desirous of Demonstrating Civility and friendship to Madam Gayoso and yourself or any of your friends that you shall be pleased to recommend to our notice— Accept we pray you our ardent and most sincere Wishes for your health's and happiness, and believe me always with most respectful Consideration,

Your Excellency's,

Obedient humble servant

(Signed) Winthrop Sargent

Governor Gayoso.

To James Wilkinson.

The Grove Natchez March 17th 1799

Dear Sir,

By the Dragoon I received yours of the 14th the day before yesterday, but have it not yèt in my Power, to acquaint you of the

Provision to prevent Desertion. I can only observe to you as he is charged with dispatches and it would be improper to detain him, that my own Idea and Expectation is that Foreigners should and will be prohibited Admission without passports from the Supreme Authority whence they come or other sufficient Testimonial to prove them of good character, but the Legislature being now in session, 'tis proper I have their Sanction for any Measure to be adopted.

I have expected the Judges here for two days past— Tomorrow I shall undoubtedly see them, and this Business will engage our first attention, and with the result you shall be acquainted without delay.

The Best wishes of Mrs. Sargent and myself attend Mrs. Wilkinson and you, we hope she has recovered of her Indisposition. I am,

My Dear Sir
With most respectful esteem
your obedient humble servant
(Signed) Winthrop Sargent

General Wilkinson

To Timothy Pickering.

Natchez March 21st 1799

The following private Letter of this date was written by his Excellency the Governor, and ordered to be entered on the Journal.

My Dear Sir

I have been honoured with your Public and private Letters of the 10th of December this Evening, and shall take the first Certain opportunity to respond specially thereto,— So very anxious am I of standing well in your opinion—that all my Conduct and even desires should seem (as I intend them) to be founded upon strictest propriety, that I can not delay a moment to explain any

matter that may be problematical, and therefore embrace a very uncertain Conveyance to reply to the Private Letter.

For the Adjustment of my relative Military rank in case of service with the regular Troops in this Country, I must confess I felt very great anxiety but it does not in the *present time* seem so very essential as when I took leave to address you thereupon, and in no case or Circumstance will I trust your opinion of my Patriotizm prove unfounded.

The subject of Revenue and introduced in mine of September was with a View to the public interests; to prevent an illicet Trade with the upper Country and from an opinion that a Port of entry should be established either at Natchez or the National Boundary, *where* from its being upon the very confine of our Country, I believed it might be advisable to give the Governor *here* a *kind* of superintendency —and in an aggregate view of services to allow the "quid pro quo"—*the special management* of inspection or indeed any Revenue Offices I certainly believe very incompatible with the Station of any Territorial Officer (as such) within this Government.

Your ardent desire for my early arrival in this Territory to Organize the Militia and which were equalled by my own at the time of leaving the Northwestern Territory increased tenfold upon my arrival here, for every day brought me reports of French Fleets off the Balize— Militia officers and men organized under the Spanish Government would not have received Confidence, if such there had been— but the fact *is* there was no Militia in the Natchez District— Governor Gayoso once Contemplated such establishment, but the Baron Carondelet forbid it.— To have accepted of Volunteers I must have relinquished to the people the Power of appointing their own officers, which Government had specially required I should Exercise myself— 'twas therefore that I adopted the Plan, which I have had the honour to communicate— The fines seemed absolutely necessary —I consulted the only Judge present —No inconvenience I am happy to inform you has accrued— and since the arrival of

Judge Tilton we have made a Militia Law, taking my (transmitted) regulations for the Basis, for as I have already communicated to you we are Constrained to follow the Practice of the Northwestern Territory and make Laws being destitute of the Laws of the Original States.

For your Observations However My Dear Sir, I request you to accept my sincere thanks and I solicit their Continuance.

The Presidents Speech pamphlet &c are the first Copies that I have come to hand, notwithstanding the time which has elapsed since their Publication.—'tis to me a very Melancholy Consideration, that my Public and private Communications with the Atlantic States is so extreme difficult and tedious— I derive however a hope from a Paragraph in your Public Letter that this may be remideed and will endeavour to advertize you of the expense of *riding* monthly from this to the nearest Post Office. I am &c &c,

Signed Winthrop Sargent.—

The Honourable Secretary of State.

To John Steele.

Natchez March 22d 1799

Sir

Your long indisposition and many engagements of duty in your short intervals of Convalenscence have hitherto delayed my asking your attention to "the Public Records of the district" (or Territory)[1] about which I am very anxious and *which* so soon as you can anywise make it convenient, I have to request you would receive from Major Gerault.— They are deposited in Fort Sargent and the Major with whom *they* were left by the Spanish

[1] Reference is here made to the Spanish records of the Natchez District, which are now on file in the Mississippi Department of Archives and History.

Government had my direction to place thereon his seal for their better security.

I have the honour to be with respect and esteem
your humble servant
(Signed) Winthrop Sargent

Col. Steele
Secretary Mississippi Territory

To James Wilkinson.

Natchez March 22d 1799

Sir

The enclosed Proclamation intended to prevent Desertion (and other evils) by producing a similar Prohibition to Fugitives from the Governor of Louisiana, I hope may prove Enough Efficient—It is founded upon a Statute of this Territory, entitled "a Law concerning alien and Contagious diseases" of which you shall be furnished with a Copy so soon as it comes from the Press.

I have to request Sir that you would give the necessary orders to the Officers Commanding at the Military Posts in aid of this Proclamation—and I presume Sir to suggest to you an Opinion that the Establishment of a Post somewhere about the Grindstone Ford upon the Bayou Piere which I believe you have already had in Contemplation might be highly Beneficial to the Purpose.

I have the honour to be, Sir,
with very respectful esteem,
your Obedient humble servant,
(Signed) Winthrop Sargent.

General James Wilkinson.

To James Wilkinson.

Natchez March 22d 1799

Dear Sir

I enclose you Extracts of a Letter from the Secretary of State respecting Coxe his arrest &c &c and the Attorney Gen-

eral's opinion relative thereto— it is more than probable that the Supreme Court of the Mississippi Territory will be held 'ere long and though Coxe may not be brought before them, yet that some of his associates (Young Cox and Hancock) will— for any and every Communication you can make me of these criminal proceedings I shall be very much Obliged—I must request of you a List of the most material Evidences with information where they are to be found— Also a Copy of the Deposition which I was Constrained to send on to Tennessee, and which you were good enough to promise to replace.

(Signed) Winthrop Sargent

General James Wilkinson.

General Militia Orders

March the 25th 1799 Mississippi Territory

The Commander in Chief herewith transmits to each and every Field Officer and Captain of Militia in the Mississippi Territory the Law for establishing the Militia thereof, *which* with the regulations before Published (and not Militating with the said Law are to be fully and Punctually Observed.

Commissions for the Officers will be made out so aoon as the Commander in Chief is furnished with a List of those who have accepted their Appointments; he hopes to receive the *same* without delay— to include all the Officers of the upper District from Lieutenant Colo. West— a List of the Officers of the Cavalry in the lower District from Major Osmun, and a return of Infantry Officers in the same District from the Captains or Officers Commanding Companies. It is his intention to Complete the Corps in Officers without delay— and in all Vacancies which shall subsequently happen to pay every possible attention to seniority — In order to which the relative Rank of Gentlemen will be determined upon the Usual Military Principles either By himself or a Board of Field Officers.

In enrolling the Militia the Commander in Chief has been desirous that the officers and men should be Classed in such order as might be mutually satisfactory, having in View however the Absolute Necessity of such arrangement as may ensure the most readily embodying the Companies for Defence and Exercise— But an Idea which it seems has prevailed, that it is absolutely necessary for the privates to signify their intention of being in some one or other Corps or Company is very Erronious. — for it is enough that the Officers shall arrange their respective Companies upon the General Principles of Convenience herein before Noticed and Advertize the Concerned according to Law. — This Measure must be immediately pursued, that no more delay in the Musters and Exercises which have been ordered may be Experienced.— for such is the Spirit of the Law, which the Commander in Chief and every Militia Officer are in honour and duty bound to Carry into full and Complete Effect.

(Signed) Winthrop Sargent

By the Governor of the Mississippi Territory.

A Proclamation.

[*L.S.*] Whereas it has been represented unto me, that the people of this Territory are suffering under the purpetration of High Crimes and Misdemeanors as well as Civil injuries, of a very aggrevated Nature, by Persons unknown.— and Whereas there are, good and sufficient reasons to believe, that many of those offences, Originate in the Indiscriminate Admission of Aliens, amongst whom are some of the most abandoned of Characters— Be it known therefore, that I have thought proper to issue this my Proclamation, Ordering, and directing, that no Foreignirs be Admitted within this Territory, but by Passports duely authenticated, under the seal, and signature, of the Supreme Authority whence they may come, or other sufficient Credentials to Establish them of good

Character— and that they shall report themselves immediately upon their arrival in the settled parts of this Territory, to some one of the Conservators of the Peace, or Military Officers Commanding the Posts of the United States, that the Governour may be informed thereof without delay— and the said Conservators who have been heretofore Authorized to administer the Oath of Allegiance to the United States are to make report to the Governor of all Aliens within their respective Districts, specifying their Names, Age place of Nativity, the Nation to which they belong and Owe Allegiance, their Occupation, and the Arms and Ammunition of which they are Possessed.

Given under my hand and the Public Seal
at Natchez this twentyeth day of March
in the Year of Lord One Thousand Seven Hundred
and Ninetynine, and of the Independence
of the United States of America,
the Twenty third.

(Signed) Winthrop Sargent.

By his Excellencys Command,

John Steele Secretary.

To James Wilkinson.

His Excellency the Governour having thought proper to write the following Letter, partly private and partly Official it is entered in the Journal Accordingly—

Natchez 25th of March 1799

Dear Sir,

I received yesterday from his Excellency Governour Gayoso the "Moniteur de la Louisiane"—No 91" Containing a Copy of a Provisional Convention Between your Excellency and the Governor signed by your Brigade Major Lovell. Said to be "empowered to make your Signature" and which I have read with an equal degree of pain and astonishment, from an apprehension that *I may* directly or indirectly be implicated in the Measure.

It certainly is very much my inclination as well as duty to afford every aid I can to the good Order and Efficiency of the Military, and to this End to prevent as far as is Constitutionally in my Power the desertions from the army Under your Command— "Twas therefore that I issued my Proclamation bearing date the 20th instant which is founded upon a Law of the Territory, requesting at the same time your Excellency's Support; *which* I had persuaded myself would have been afforded by establishing Guards at the avenues to this Government to prevent the admission of Aliens not provided with due Testimonials — and by producing an equal Caution in the Province of Louisiane effectually fulfilled the intention of the Legislature, as it related to the army,— for it can not be supposed that Deserters will ever bear passports from authority *here* or any sufficient Credentials of Good Character —In a Letter bearing date the 3d- of January (upon your Excellency's representation of the alarming prevalence of Desertion) I empowered you to assure Governor Gayoso that I would prohibit the Inhabitants of Louisiane from entering this Territory, but by his permission, Conditioned that he remedied the evil Complained of— The Proclamation is *substantially* a performance on my part— and 'tis better, for 'tis sanctioned by Law— No other authority is emanent from me, and I should I assure you My Dear Sir, feel myself very reprehensible did I not declare to you that the "Provisional Convention" which Mr. Lovell must have inadvertently entered into is not only Contrary to a Statute of this Territory, but Unconstitutional— And that I feel it my duty to make Testimony against it—if it was true that a Military Officer had the Power to arrest and Convey beyond the Limits of the Territorial Jurisdiction *any* man upon any pretence whatever (not voluntarily Submitting himself to such authority) then would our Government become essentially Military— and that such is our Situation has gone abroad to the World by the Publication before mentioned— It remains to be Contradicted and my Private feelings are in perfect Unison with my Duties to your Public Character to make the manner as

agreeable as possible to yourself— I enclose you a Copy of the Law upon which my Proclamation was founded.

I have the honour to be with very
respectfull Consideration,
My Dear Sir,
your Obedient humble servant,
(Signed) Winthrop Sargent

General James Wilkinson.

To John Steele.

Dear Sir

I wish you with the assistance of Mr. Walker to have the Blanks of the within Proclamation filled and afterwards published when you shall have Countersigned the same— it is unnecessary to tell you it must be a matter of Record— As Judge Tilton is in the House with you, I will ask the favour of your acquainting him, that the seals for the divisions of the Territory will be inscribed *C o u n t y* seals which must induce a Conformity in the acts of the Territory— I trust we have not proceeded so far as to Cause any great inconvenience to Mr. Walker or the Printer, I wish the Judge or yourself to give the Necessary information to them.

With much esteem,
Dear Sir
yours &c—
Signed Winthrop Sargent

Col. Steele Secretary, Mississippi Territory

By Winthrop Sargent Governour of the Mississippi Territory.

A Proclamation

[*L.S.*]

It having been represented unto me that some persons unknown did upon the 24th instsnt at or near the house of a Mr.

Swezy in the Vicinity of the Town of Natchez, and *again* in the said Town upon the 28th Instant at the house of Patrick Connelly Violently assault some Choctaw Indians— Beating, Maiming, and Wounding them, in so cruel and Barbarous a manner, that death will probably ensue— a n d w h e r e a s such aggressions so disgraceful to a Civilized People and Repugnant to the Statutes of this Territory, *not only* as they may involve the innocent with the guilty in the fatal and dreadful Consequences of that Spirit of Retaliation so strongly marking the Character of the red people —but as outrages upon all Government and the rights of society, Demand from the Constituted authorities of this Territory the most Energetic Measures for their Punishment and suppression, I have thought proper to issue this my Proclamation requiring from all Civil and Military Officers, and good Citizens within this Territory (According to their respective duties) every possible exertion to apprehend and bring to Justice the Authors and purpetrators thereof.

Given under my hand and the public
seal at Natchez the Thirtyeth day of
March in the year of our Lord
One thousand Seven Hundred and
Ninetynine and of the Independence of the
United States of America the
twentythird

(Signed)
Winthrop Sargent

By His Excellencys Command
John Steele Secretary

To Jose Vidal.[1]

Mississippi Territory 28th of March 1799

The Governour presents his Compliments to Mr. Vidal, requests he would favour him with an Account or information of

[1] Spanish Consul at Natchez.

the Buildings tenements and Lands Ceded and delivered up by the Spanish Government to the United States as belonging to the Crown of Spain, specially distinguishing such as appertain to Forts and Fortresses, and any Lots or Tracts of Land Contested with his Government (or ours as their successors) by Individuals, together with the grounds of Contest, so far as he may be Acquainted therewith —Mr. Vidal will undoubtedly receive this request as relating only to the Mississippi Territory.

To ———— ————

The following Private Letter written by his Excellency the Governour was deemed necessary to be entered on the Journal, and is entered accordingly.

Natchez March 29th 1799

Dear Sir,

I have been honoured with your favour of the 25th by Mr. McIntosh— and await your response to mine of that date 'ere I write Governor Gayoso and enclose *the Proclamation* which I conceive it encumbent upon me to do.

It is the opinion of the Judges that *we* can not make farther or better provision to prevent desertion than in the Law Concerning Aliens which I have transmitted you— and that the Carrying into effect the Convention of Mr. Lovell with Governor Gayoso would Constrain their Official Notice, though I am sure you will not doubt their very anxious desire to prevent desertion by all Lawful Means.

I view it practicable as I have before informed you to stop the Spanish Deserters at the line but there seems to me a very Material Difference between such a rule of Conduct and that apprehending them after they shall be within the Territory by a Military Officer,— in manner as is provided by the *"Convention"* In the law which we have published deserters you will observe are not specially named— though they are included in the *Pro-*

hibition and my reason therefor (I have not yet had the opportunity of Consulting Vattel)[1] was that it might be deemed an assumption of Power properly National.

I am sure I need not repeat to you that if there yet remains any thing on my part to be Constitutionally done in the Premises or for Public Service that you may Command me. for my inclination and Duty for Exertion perfectly Accord.

I am my Dear Sir

affectionately yours

(Signed) Winthrop Sargent

Proclamation.

By Winthrop Sargent Governour of the Mississippi Territory.

To all persons who shall see these presents, G R E E T I N G,[2]

W h e r e a s it has been directed by the sovereign authority of the United States that for the due Execution of Process Civil and Criminal within this Territory, the Governour shall make proper Divisions thereof, and proceed from time to time as Circumstances require to lay out the same into Counties and Townships— subject to future alteration as may be directed— a n d it appearing to me Necessary for the purposes above mentioned that two Counties should be erected and laid out — I do O r d a i n and order by these Letters made Patent. that all and singular the Lands lying and being within the Boundaries of the *Mississippi Territory* (as described in the third Section of the Law of the United States bearing date April the seventh One thousand Seven Hundred and Ninetyeight for Establishing this Government) S H O U L D C O N S T I T U T E two Counties — The division of which shall be a line Commencing at the mouth

[1] Vattel's "Law of Nations."

[2] This proclamation establishes the first two counties of Mississippi Territory, and provides a system of courts.

of Fairchilds Creek, and running direct to the most Southern part of Ellicott's Ville —Thence Easterly along the dividing ridge of the Waters of Cole's, and Sandy Creeks.— so far as the present settlements extend, and thence by a due East Line to the Territorial Boundary— The Southern or lower Division of which is named and hereafter to be called the County of Adams, and the Northern or upper Division, the County of Pickering.

AND I do further ORDAIN, that the County Courts which have been by Law Established shall be holden and kept therein, in the following Order Viz: For the County of Adams, in the Town of Nathcez at such place as shall hereafter be directed, the Court of General Quarter Sessions of the Peace upon the first Mondays of May, August, November, and February, yearly and every year, — The Court of Common Pleas upon the next succeeding Wednesdays, in the same months *also* Yearly and every Year.

And that the Judge of Probate, shall hold a Court of Probate in the Town of Natchez, upon the first Saturdays immediately following the time prescribed for the Court of Common Pleas, Yearly and every year.

In the County of Pickering and at the Villa Gayoso, the Court of General Quarter Sessions of the Peace shall be holden upon the third Mondays of May, August, November, and February, Yearly and every year.— The Court of Common Pleas, at the same place, and upon the Wednesdays immediately following in the months aforesaid, Yearly and every year,— And the Judge of Probate, shall hold a Probete Court *also* at the Villia Gayoso, upon the first Saturdays next ensuing the times prescribed for the sittings of the Court of Common Pleas, in each and every year.— And unto the said Counties of Adams and Pickering, are hereby granted all and singular the Jurisdiction, Rights, Liberties, Priveleges and Immunities whatsoever, to a County belonging and appertaining. —And which any Other County that may hereafter be erected and laid off, shall or ought to enjoy,

Conformably to the Laws and Ordinances of the United States, and of this Territory.

In Witness whereof I have hereunto
set my hand, and caused the Public
seal to be affixed this second day of
[L.S.] April Anno Domini One Thousand
seven hundred and Ninetynine, and in
the twentythird year of the Independence
of the United States of America.

Winthrop Sargent

By his Excellency's Command
John Steele Secretary.

To James Wilkinson.

His Excellency the Governor having written the following private Letter directed that it be entered on the Journal.

The Grove Evening of Apl. the 3d 1799

Dear Sir,

I had flattered myself that merely transmitting unto you the Extract from the Letter of the Secretary of State, Commanding me to take charge of the Public Buildings within the Mississippi Territory, (those of the Forts excepted) would have induced your Order for their immediate surrender, without a more formal application.— Immediately upon your arrival in this part of the Territory, I took leave to state to you, that they were in my opinion very improperly withheld by the Military.— that they were necessary to the Civil Government in this Country, and that I conceived myself the proper Guardian of all Public property not absolutely appertaining to the Fortresses, and if I mistake not, requested instead of demanding *such* as had been placed under your Order of this discription— With your assurances of a perfect disposition to accommodate the Civil Authority with the Buildings which are the subject of this pres-

ent Address but that you "dared not" so dispose of them — I have rested satisfied until the receipt of the Order of the Secretary of State in which it appears he had the Concurrence of the Minister of War— Your declaration that so soon as the Occasion should Cease for detaining the Public Buildings at Natchez for the accommodation of Captain Heth and Doctor Phifer you will deliver them up would be enough for me but that I am under the Necessity of Appropriating them to Civil Purposes, without delay— Provided I may Obtain them, I am not anxious about nonessentials, and merely as it respects myself 'tis immaterial whether they be delivered as a matter of Curtesy or of Right, and shall not, I assure you Attempt any Coercive Measures to Obtain them— I shall not even permit it to be promulgated in this Territory that a demand has been ever made and refused— The Consequences of such report by inducing the Belief of opposition to Civil authority might in this distant part of the Union be very pernicious— I shall enclose an Official Demand and there rest the matter fondly hoping your Compliance, and whether or not that you will believe me actuated by a sense of duty, and that I am at all times perfectly disposed to afford all the Convenience and accommodation to the Military in my Power.

Mrs. Sargent Joins me in respectful regards to Mrs. Wilkinson and yourself. I am,

My Dear Sir
with very sincere esteem
yours
Winthrop Sargent

P. S. I do not feel myself Authorized to request your detention of Persons leaving this Territory without my passports, such *request* has escaped my memory— It must I think have been made upon some very special Occasion

General James Wilkinson.

To James Wilkinson.

Natchez April 3d 1799

Sir

In Consequence of the receipt of yours of the 27th ult received this day, 'tis encumbent upon me Officially to Address to you the following Extract of a Letter from the Secretary of State.

"The Public Buildings, (those of the Fort excepted) within the Mississippi Territory ought to be in the hands, and under the care of the Government— you will take charge of them Accordingly. If necessity or Convenience at any time should render it proper to apply them to the Use of the Military, the Application for them must be to the Governour,—The Secretary of War entirely Concurs with me in this matter."

Signed. "Timothy Pickering"

From the foregoing I have to ask Sir, that you would be pleased to direct the Public Buildings of the Secretary's discription which are in the Town of Natchez to be surrendered to me— Proposing that the Courts of Justice should sit in the Town, early in May and having Occasion for Offices, for the Secretary of this Territory and myself I have to solicit your immediate attention to this request.

I have to assure you of my perfect disposition to afford every Convenience in my Power to the Military upon all Occasions.

I have the honour to be with most respectful

Consideration

your obedient humble servant

(Signed) Winthrop Sargent

General James Wilkinson

A Proclamation.

Mississippi Territory.

By Winthrop Sargent Governour of the Mississippi Territory.

To all who shall see these presents,— G r e e t i n g. K N O W Y E, that I have by these Letters made Patent appointed and Commissioned as Justices of the Common Pleas in the County of Adams, Daniel Clarke, Bernard Lintot, Thomas Burling, John

Ellis, Thomas Wilkins, Abner Green, George Fitzgerald, and John Collins Esquires and do authorize and Empower them, or any three of them, to hold and keep a Court of Record in the said County to be styled agreeably to the Law in such case made and provided, "The Court of Common Pleas of the County of Adams," and hear and determine all manner of Pleas, Actions, Suits and Causes of a Civil Nature, Real Personal and Mixed, according to the Constitution and Laws of the Territory.

In Testimony whereof, I have Caused the Public Seal to be hereunto affixed— and Undersigned my name. Dated at Natchez Territory aforesaid, this fifth day of April, An- [L.S.] no Domini One Thousand seven hundred and Ninetynine, and of the Independence of the United States of America, the Twenty third.

(Signed) Winthrop Sargent.

By His Excellency's Command,

John Steele Secretary.

Treasurer of Adams County.

His Excellency the Governor was pleased to appoint Bernard Lintot Esquire Treasurer for the County of Adams,— To whom he Granted a Commission in the Words following Viz.

By His Excellency

W i n t h r o p S a r g e n t E s q u i r e,

Governor and Commander in Chief of the Mississippi Territory,

to all unto whom these presents shall come, G r e e t i n g.

K N O W Y E, that I have Constituted and appointed, and do by these presents Constitute and appoint Bernard Lintot Esquire to be Treasurer in the County of Adams, and do hereby Authorize and empower him, to do and perform all and whatsoever to the Office and Duty of a Treasurer in the said County doth any ways belong or appertain.

In Testimony whereof I have caused the Public seal to be hereunto affixed: Witness

Winthrop Sargent Esquire,

Governour and Commander in Chief.

Dated in the Territory the fifth day of April Annoque Domini, One thousand seven [L.S.] Hundred and Ninetynine, in the twenty third year of the Independence of the United States of America.

By His Excellency's Command,

John Steele Secretary.

Appointments.

His Excellency the Governour was pleased to appoint William Dunbar Esquire Judge of Probate, Lewis Evans Esquire Sheriff, Milling Wooley Esquire Coroner, Peter Walker Esquire Clerk to the Court of General Quarter Sessions, and Prothonotary to the Court of Common Pleas, and John Henderson Esquire Recorder for the County of Adams, to each of whom he Granted Commissions respectively in the general words of the foregoing Commission of Treasurer to Bernard Lintot Esquire, *Mutates Mutandus* and dated the fifth day of April in the year One thousand seven hundred and Ninetynine

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Appointment.

His Excellency the Governor was pleased to appoint Justices of the peace, and of the Quorum for the County of Adams, to whom he Granted a Commission in the words following Viz.—*Mississippi Territory.*

By His Excellency,

W i n t h r o p S a r g e n t Esquire,

Governour and Commander in Chief of the Militia of the Mississippi Territory within the United States of America.

To all unto whom these presents shall come—G r e e t i n g.

K N O W Y E, that I have Authorized and empowered Daniel Clark, William Dunbar, John Ellis, James McIntosh, Thomas Wilkins, and Abraham Ellis Esquires Justices of the Peace in the County of Adams, to hold and keep a Court of Record in and for the said County, to be named and styled agreeably to Law,—"The Court of General Quarter Sessions of the peace" —and therein to Enquire by the Oaths of good and Lawful men of the said County by whom the truth may be better known, of all and all manner of Thefts, Trespasses, Riots, Routs, and unlawful assemblies whatsoever, and all and singular other misdeeds and offences of which by Law Justices of the Peace in their General Sessions may and ought to Enquire, by whomsoever, and howsoever done or perpetrated, or which shall hereafter happen howsoever to be done or attempted in the County aforesaid, Contrary to the form of the Ordinances and the Acts of Congress, and of the Laws and Ordinances that now are or hereafter shall be made for the Common good—And to *hear* and *determine* all and singular the said Thefts, Trespasses, Riots, Routs, Unlawful Assemblies, and all and singular other the Premises, and to do therein what to Justice appertaineth According to the Laws and Ordinances aforesaid.

In Testimony whereof I have caused the Public
Seal to be hereunto affixed, and Undersigned
[L.S.] my name, Dated at Natchez Territory aforesaid
this Sixth day of April Annoque Domini
One thousand seven hundred and Ninetynine
and of the Independence of the United States
of America the twentythird

Signed W i n t h r o p S a r g e n t

By His Excellencys Command

John Steele Secretary

Appointments.

His Excellency the Governor was pleased to appoint Philander Smith, Joshua Howard, John Collins, Charles Bourdman, Robert Dunbar, William Vousdan, and Hugh Davis Esquires, Justices of the peace, to each of whom he Granted a Commission in the words following Mutates Mutandus. Viz.————

By His Excellency.

W i n t h r o p S a r g e n t Esquire.

Governor and Commander in Chief of the Militia of the Mississippi Territory within the United States of America.

To all unto whom these presents shall come—G r e e t i n g.

K N O W Y E, that I have assigned and Constituted, and do by these presents Constitute and appoint, (Philander Smith) Esquire) to be One of the Justices to keep the peace in the County of Adams, and Territory aforesaid. And to keep and Cause to be keept the Laws and Ordinances, made for the Good of the peace, and for the Conservation of the same, and for the quiet, Rule and Government of the Citizens and Subjects in the said County, in all and every the articles thereof, according to the force, form and effect of the same, and to *Chastise* and *Punish* all persons, offending against the form of these Laws, and Ordinances or any of them in the County aforesaid, as According to the form of those Laws and Ordinances shall be fit to be done; and to Cause to come before him the said (Philander Smith) Esquire all those that shall break the peace, or attempt any thing against the same, or that shall threaten any of the Citizens and Subjects in their Persons, or in burning their houses, to find sufficient security for the peace, and for the good behaviour towards the Citizens and subjects of this Government; and if they shall refuse to find such security, then to Cause them to be kept safe in Prison until they shall find the same, and to do and perform in the County aforesaid all and whatsoever according to the Laws and Ordinances, or any of them, a Justice of the Peace may and ought to do and perform; and with other Justices of the peace

in the same County (according to the Tenor of the Commission to them granted) to enquire by the Oaths of good and Lawful men of the said County, by whom the truth may be better known, of all and all manner of Thefts, Trespasses, Riots, Routs, and Unlawful Assemblies Whatsoever, and all and singular other misdeeds and offences, of which by Law Justices of the peace in their General Quarter Sessions may and ought to Enquire, by whomsoever or howsoever done or perpetrated or which shall hereafter happen, howsoever to be done or attempted in the County aforesaid, Contrary to the form of the Laws and Ordinances aforesaid made for the Common good of the Citizens and subjects; and with other Justices of the peace in the same County (according to the Tenor of the Commission to them Granted) as aforesaid to hear and determine all and singular the said Thefts, Trespasses, Riots, Routs, unlawful assemblies, and all and singular other the Premises, and to do therein as to Justice appertaineth according to the Laws, Statutes, and Ordinances aforesaid.

In Testimony whereof, I have caused the Public seal to be hereunto affixed. Witness,

Winthrop Sargent Esquire,
The Governour and Commander in Chief.

Dated at Natchez in the said Territory the
sixth day of April, Anno Domini, One thousand
[L.S.] seven hundred and Ninetynine, and in the
twentythird year of the Independence of the
United States of America.

By His Excellencys Command,
John Steele Secretary.

Keeper of the Seal.

His Excellency the Governor was pleased to appointed William Williams Gentleman Keeper of the seal for this Territory, and Granted to him a Commission for the same, in the general

Words of the Commission *"Granted to Bernard Lintot Esquire Treasurer" Mutatus Mutandus* and dated the fifth day of April in the year One Thousand seven Hundred and Ninetynine,—and of the Independence of the United States of America the twenty-third.

To. Capt. John Heth.[1]

The Grove. Feby 23d 1799 3 oClock P.M.

Sir,

I have this moment received your Notice of your intended Evacuation of the Buildings at the Villa Gayoso upon the Morrow morning, and wish that there had been an Indulgence of more time to have enabled me to have possessed them for the United States— If you should not leave Natchez previous to Tuesday upon this Business, I may have it in my Power to make the suitable arrangements.

I am &c &c.

(Signed) Winthrop Sargent

Captain Heth.

To William Ferguson.[2]

The Grove near Natchez
February 23d 1799

Sir

General Wilkinson has this day signified to me his intention of immediately withdrawing the Troops heretofore stationed at the Public Buildings, in the Villa Gayoso, and delivering them over unto my requisition— I have therefore to request you would be pleased to receive them from Captain Heth or any other person Authorized to make the delivery— To close the doors and Windows and publish this my Letter or a Copy thereof upon

[1] In command of a company of United States troops.
[2] First Sheriff of Pickering (now Jefferson) County.

the Church as information unto all whom it may Concern that they are to be Considered as the property of the United States, unless it may hereafter be otherwise Ordained— That all waste or injury of the same, or an attempt to possess either of the Buildings without my special permission, will be Considered as a public Wrong— At this same time Sir, I authorize you to suffer for the present any person of good Character to Occupy either of the dwelling houses in the Village provided he will be responsible for the safe keeping of the whole.

I am &c.

(Signed) Winthrop Sargent.

William Ferguson Shff. Northern District.

To Manuel Gayoso De Lemos.

Natchez April 15th 1799—

Sir,

I enclose you the response of Figuroa to Captain Peter Marigny obtained by my *request* for precept from the Executive in such Case is inadmissible under the American Government: The 22d article of the Treaty between the United States and Spain, provides ample remedy for the Captain at our Tribunal and I will at all times take great pleasure by my Council or otherwise in aiding every application of your Excellency's, so far as I can in propriety— I have Necessarily delayed *this* to obtain the translation of *yours which* I am not fully satisfied is Correct for in the Decree it is "required" in the name of his Chatholic Majesty that Figuora "be notified &c" and being in iffect a Command can not operate in any of the Dominions of the United States; In this Territory Sir though perfectly disposed to Continue the good disposition of Spain to my Country by every Act of Accommodation in my Power, I shall nevertheless as in duty Bound fully maintain their sovereignty. I am disposed to believe that in the original on translation there may

have been some mistake and 'tis therefore and upon your Excellencys request I have enclosed the answer of Figuora.

I had intended to have transmitted unto your Excellency my Proclamation to prevent the Admission of Foreigners of Certain Character within this Territory, but waited the Publication or Printing of the Law, upon which the same is founded to accompany it; General Wilkinson informs me he has already offered it to your Excellency and I persuade myself that amongst other good effects it will be found sufficient to prevent desertions from our Armies, which must be mutually Beneficial—

With respect I have the honour to be &c &c

(Signed) Winthrop Sargent

Governour Gayoso.

To James Wilkinson.

Natchez April 17th 1799

Dear Sir

This morning I had the honour to receive your Public and Private Letters of th 9th and 10th Instant from which it appears that the Secretarys of State and War do not Concur in sentiment with regard to the disposal of the Public Buildings in this Country, the assurances of the *former* to me Notwithstanding.— I can not Conceive however that an Order, for application to a Civil Officer for the Use of such Buildings for the Military when their Necessity or Convenience might make the same proper will Justify the forciably withholding *them*, more especially as the Consequent probale (probable) Expense to the United States will exceed any sum Necessary to the suitable and Customary Accommodation for the Occupying Officer.

I presume not however Sir, to Construe for you, I have done my Duty, save reporting our Correspondence upon this subject, to the proper Department and According to Law;— It arises out of your Polite application however for me to add, that I believe it very Essential to the Public good to Continue a small

Garrison at Natchez; and as my possessing the Buildings *here* must depend altogether upon your withdrawing the Troops I shall endeavour (timely if possible) to make other Provision, for Civil purposes without troubling you more.

You will Excuse I hope my further Adding, that I am informed the house Occupied by Captain Heth, and Dr. Phifer requires immediate attention to prevent its *falling* and that there are by a return of the Public Buildings which has been handed to me a greater Number at Natchez than by your Letter you appear to know of.

I am with much esteem and Respectful
Consideration yours

Signed Winthrop Sargent

P. S. I am joined by Mrs. Sargent in acknowledgement of the kind remembrance of Mrs. Wilkinson and yourself, and we repeat the assurance of our very sincere regards, and Continued wishes for your health and happiness— to preserve which give me leave to advise your very early removal from the Cliffs— With the subsiding of the Waters will Certainly Commence Sickness.

General James Wilkinson.

To Timothy Pickering.

Sir Mississippi Territory April 20th 1799

Upon the 21st Ult I had the honour to acknowledge in a Private Letter— and by a very Uncertain Conveyance your Public and private Favours of December the 10th, received upon that date; since which to this time, no Conveyance has offered for Philadelphia, I embrace now the Opportunity sir, to notice all the Subjects of your Public Letter— and in the first place it is proper I should observe upon the *Spanish Consul* and that such an Officer might be made use of to the more readily Obtaining that Justice which it is provided by Treaty, the Span-

iards may Obtain at our Tribunals Generally, and for the Expeditious recovery of Fugitive Slaves as well as in Common Consular duties arising out of the Commercial intercourse with Louisiana and this Territory which with the Extensive Connexions of Spain below and upon the upper Mississippi brings to our shoars Boats in no inconsiderable Number and amongst the Crews disputes sometimes arise perhaps properly the Province of Consular Decision—

With regard to Continuing the Mail from this Country from Nashville as far as I have been able to inform myself it will Cost thirteen hundred Dollars per year to receive the same monthly— The way proposed at present would be from Natchez through the Nocksaby a Choctaw Town and the Residence of Mitchell the Indian Agent, to Nashville a distance of about Six hundred miles— 'Tis much the same Distance by the Big Town of the Chickasaws — By the Tellico Blockhouse or Knoxville there would perhaps be but Little difference and the way most Certain at present on Account of Obtaining Boats from the White People or Indians to pass the Tennessee.— It is generally believed, that the road would be shortned and Communication facilitated by *marking* the same *directly* between the Yasous and Pearl Rivers to the Chickasaw Big Town so as to avoid the Choctaws altogether. — Which *marking* however would be Expensive— and the way forward from Big Town to Tellico Blockhouse or Knoxville through a part of the Cherokee Country—of Course their Consent must be had thereto.— Perhaps however the most Certain and least expensive Way of transporting the Mail, would be by fixing an Agent with the Chickasaws beyond the Big Town and at or near the Tennessee— To carry the same from Natchez to the said Agent monthly by Contract and to use the Indians thence to Nashville, Tellico Blockhouse or Knoxville—We want an Agent with the Chickasaws; Mitchell whom I think ill of and who was appointed by Colo Hawkins has declined it and the great Path to the settlements leads through the Chickasaw Nation— A Mr. Stuart comes forward for the

appointment; I employed him to retake Cox in the Nation and found him trusty. He believes the office may be supported altogether from the Emoluments of a Ferry over the Tennessee if *it* might be granted him— 'twill perhaps be Economy Sir to *Establish* it—provided the Indians shall not object; the same however resting with the General Government I request your Instructions thereupon— as also some general Rule for his regulation, if it may be assented to- He has Judgement enough to Employ in discretion runners with the Mail from Tennessee— to Tellico Blockhouse or Knoxville.

The Public Buildings not annexed to the Fortresses within this Territory have in Consequence of your Order bearing date the 10th of December been demanded and refused, those at the Villa Gayoso excepted which were previously abandoned upon the Principle of being an encumbrance to the Military as I had the honour of informing you upon the 13th Ult requesting at the same time an order from Government for their Disposition. To obtain the Buildings at Natchez which were necessary as offices for Colo. Steele and myself and for other Public Purposes, as formerly Stated, I merely enclosed the Extract in Point Believing from the footing upon which General Wilkinson had put their detention and the desire he had professed to accomodate the Civil Authority (and which I have also before stated to you in his own words) would have been *enough* But I received for answer that the Buildings at Natchez were necessary for the accommodation of the Commanding Officer, and to save Expense to the Public— The General hoped the Occasion might not long Continue, and *then* he would with much pleasure order the same to be delivered up— the Demand therefor however being very urgent and Conceiving myself specially ordered to take possession of *them* I again transmitted the Extract from your Letter relative thereto formally and in the *same manner* demanded *them,* But observing that I should not believe any Coercive measure proper, for me on the Occasion, and that I rested the Issue upon the then application, fondly hoping his

Compliance and that he would believe me Actuated by a sense of Duty and Public Service— that I had every disposition to Accommodate the Military to the Utmost of my Powers, and in Case he should refuse my repeated requests that I would take great care to prevent the same from going abroad lest by its being Construed into an Opposition of Civil Authority it might produce very pernicious Consequences in this distant part of the Union. The General thereupon transmitted me an Extract from Letter of the Secretary at War (without date) and as follows, Viz—

"To revert back to a Point I had omitted, the Public Buildings delivered "up by the Spanish to our Military I have to observe that it will be very "proper, should Governour Sargent find Occasion for the use of any of them "for the purposes of his Government, as for a Court house Public Office &c, "to accommodate him with such as are most suitable, provided the doing "so will not deprive the Troops of Necessary Accommodation, or the Public "property of Secure Deposit."

And Concludes it is not in his Power at this time to accommodate me, without a Breach of his orders.

So rests this matter at present for I have advertized him that I believe myself to have discharged the whole of my duty save the reporting the result to the Secretary of State— My Letters to the General upon this Occasion will appear in the order of date by Colonel Steeles Communications, but as those will be Necessarily delayed I have believed it essential to notice you of my Proceedings in this way, and at the same time it perhaps may not be amiss to advertize you that I have borne Strong Testimony to General Wilkinson against the form and much of the matter of a Convention between him and Governor Gayoso published in the enclosed Louisiane Monitieur.—

The only Authority Emanating from me to such Convention was an assurance to the General of issuing a Proclamation to Prohibit the Admission of Foreigners without passports Conditioned that Governor Gayoso should take measures to prevent desertion which was then it seems so very alarming as to men-

ace the Total Annihilation of the Army and to Authorize *which* the Judges had given me assurances of full Concurrence.

Governor Gayoso who furnished me with the Convention has in return receive my Proclamation without more observation than that the same was Predicated upon Law, For General Wilkison who has declared unto me a disapprobation of the style of the Convention and that no measures under his Authority shall be taken to Contravene the Laws of his Country was apprehensive that in any discussion of the Subject the Governor might be released from obligations *only* Advantageous to the United States— Perhaps in true republican Spirit and Caution to prevent all military Encroachments I ought to have come forward with a Public declaration against the Convention, but if I am guilty of *evil* by the Omission it is that good may Come of it— And in all my Letters to the General upon this Occasion which will appear upon the Journal you will find I trust that I have been enough Zealous and Wary.

Since my last Sir three Choctaw Indians in and near Natchez have been almost murdered in a Drunken affray, but were taken into my own house and with Extraordinary care and attention have been cured and Sent home Contented— During their Confinement we were menaced from their kindred with the "Lex talionis" to prevent such mischief in future we have prohibited by Law their receiving intoxicating Liquors, but by Permission of the Superintendent.

I am informed that General Wilkinson is Commanded to the Seat of Government— All my observations therefore relative to Military interference in the Indian Department and the disagreeable effects to be apprehended in a Co operation with the regular Troops and Militia will now more strongly apply and demand Explanation and Order— To be Convinced of this it is only Necessary to be informed of the immediately succeeding Officers— I believe I have omitted to inform you Sir that it has been the Generals Practice to receive from Indian Chiefs of the Choctaw Nation heretofore attached to Spain their Certifi-

cates of Commissions replacing them with his own,— This I have always Conceived a kind of Usurpation of the Superintendents Duties— Such Certificates however under National Order with Device as might be directed would be gratifying to the Indians and have a good effect—The Spaniards had a very handsome Copper- plate Engraving for such purposes highly Ornamental with Trophies of War &c &c — But I would take leave humbly to recommend as the most striking figures (for such matters are fully understood by red people) these implements of Husbandry which we *now* humanely and with best Policy are Introducing amongst them, and which from the Example of the Creeks, they will I flatter myself 'eer long be induced to seek with avidity.

The County Courts were to have been called into being upon the first Monday of May, but the Detention of the Public Buildings and some other Causes, will delay a Little their Sessions.— County Seals not yet received, but the Law of the United States Under President Washingtons Administration have come to hand.

In a former Letter Sir you Obligingly assured me that One of the several Gazettes published in Philadelphia, should be transmitted to me from your office *Such* would not only be gratifying but highly useful— We seldom receive them within the Territory their private Conveyance can not be depended on— General Wilkinson who alone has *them* regularly from the War Office is too remote to indulge me with their perusal— Any Dispatches for me by being sent to the War Office might Come on to Pittsburgh and thence receive facility in their Conveyance to Cincinnati and so on to this Territory

I have the honour to be
Sir
With highest respect
your most obedient servant
(Signed) Winthrop Sargent

The Honourable Secretary of State -

By the Governor of the Mississippi Territory

A Proclamation

To all persons who shall see these presents

Be it know that for good and sufficient reasons I have thought fit to ordain, that the first terms for the Sessions of the [*L. S.*] Courts of General Quarter Sessions of the Peace, Common Pleas, and Probate, in the Counties of Adams and Pickering *which* were heretofore Ordered for the ensuing month of May be postponed to June next following, And that they be then held at the places and upon the same relative days in the said month of June, and in the Order as was prescribed by my Proclamation bearing date April the second of the Present Year— And ever afterwards as has been therein directed.

Given under my hand and the Public Seal at the Grove near Natchez, Territory aforesaid this twentyseventh day of April Anno Domini 1799— And of the Independence of the United States of America the Twentythird.

(Signed) Winthrop Sargent

By His Excellencys Command
John Steele Secretary

Appointments.

His Excellency the Governor was pleased to appoint Roger Dixon, Richard Harrison, William Thomas, Samuel Gibson, George Wilson Humphreys, and Tobias Brashear Esquires, "Justices of the Common Pleas" in the County of Pickering to whom he Granted a Commission in the *General Words* of the Commission Granted to Daniel Clark and others, "Justices of the Common Pleas for the County of Adams" and dated the sixth of May 1799.—His Excellency was also pleased to appoint, Roger Dixon, Richard Harrison, William Thomas, Samuel Gibson, George Wilson Humphreys and Tobias Brashear Esquires, "Jus-

tices of the Peace in the County of Pickering" to whom he Granted a Commission in the *General Words Mutates Matandes* of the Commission Granted to Daniel Clark esquire and others "Justices of the Peace for the County of Adams " and dated the sixth of May 1799.— He was also pleased to appoint Mordecai Throckmorton, and John Smith Esquires Justices of the Peace for the County of Pickering, to each of whom he Granted a Commission in the general words, *Mutates Mutandus* of the Commission Granted by him to Philander Smith Esquire and Others, "Justices of the peace for the County of Adams," and dated the sixth of May 1799.— He was also pleased to appoint Mordecai Throckmorton, and John Smith Esquires Justices of the Peace for the County of Pickering, to each of whom he Granted a Commission in the general words, *Mutates Mutandus* of the Commission Granted by him to Philander Smith Esquire and Others, "Justices of the peace for the County of Adams," and dated the sixth of May 1799.— He was also pleased to appoint Thomas Green Esquire Treasurer, William Ferguson Esquire Sheriff, Henry Green Esquire Coroner, John Gerault Esquire Judge of Probate, Prothonotary to the Court of Common Pleas, Clerk to the Court of General Quarter Sessions, and Register in the County of Pickering, to each of whom he Granted a Commission (According to their several appointments) in the General words (Mutates Mutandus) of the Commission Granted by him to "Bernard Lintot Esquire Treasurer for the County of Adams," and dated sixth of May 1799 —

To William Ferguson, Sheriff of Pickering County.

The Grove near Natchez. May 20th 1799

The Sheriff of Pickering County is requested to deliver over to the care of John Gerault Esquire all those Public Buildings at the Villa Gayoso, which were placed in his Charge by the Military at the time of withdrawing the Guards.

Signed Winthrop Sargent

To Daniel Tilton.

The Grove Evening of the 23d of May 1799
Mississippi Territory

Sir

It has afforded me singular satisfaction that in our Legislative Functions during so long a session there has been such general Coincidence of sentiment —But I have very much to regret, that your opposition to the Proposed Law for regulating the Admission of Attornies in the propriety of which Judge Bruin Unites with myself, must deprive us of due provision and leave the matter so loose as may produce much evil in the Practice of the inferior Courts.

The Ordinance for the Government of this Territory, to my mind, by strong implication at least, Vests the Power of Authorizing Attornies with the Governour—though they shall not be entended of Commission— To the Judges I am perfectly willing, as my draught of the Bill shews to give the test of Necessary Legal Abilities, but of their Sufficient reputation to be admitted to the Courts, I believe myself equally well qualified with your honour to determine— and the safety of this Country being *specially* under my Charge, I employ more than *common* means of other Territorial Officers to make myself acquainted with the disposition of all men within this Government *which* (Capacity for Judging being admitted equal) must give me an advantage in this point over your honour, but granting however I may be wrong, as I can not sacrifice the opinion of Judge Bruin, and myself upon this Occasion,— As the evils resulting from the neglect to regulate the Admission of Attornies may be many and great—and upon your Principles without any immideate remedy when you shall have made your departure— And as the Bill, if passed into a Law must be laid before the General Government— to receive their disapprobation, if incompatible with the intention of the Ordinance, no great inconvenience can attend the adopting *it* I have therefore to request your most serious reconsideration of the Subject, and if in the result

you shall still persist in your determination to leave the Territory without such Provision in the Premises as we Unanimously believe to be essential— Unless Judge Bruin and myself may sacrifice our Judgment to your Opinion, I can only deprecate the evil Consequences which shall ensue— Conscious of having performed the whole of my duty by my former Observations, and this special application to your honour.

With very respectful Consideration,
I have the honour to be,
Sir,
your very humble servant,
(Signed) Winthrop Sargent.

The Honourable Judge Tilton.

To Timothy Pickering.

Mississippi Territory
Evening of the 26th of May 1799

This sir will be handed you by General Wilkinson who will leave the Country on the morrow and who assures me he will press upon Government the seeming importance of immediate attention to our Indian affairs— I had determined not again so immediately to importune you upon this subject but from his information of the Choctaws it is become my indispensable duty— they are it appears soured in the extreme at the inattention of the United States, and their Poverty in Arms and Ammunition the most restraining motives from aggressions upon the White people— In a Case of some horses demanded from them (not by me) they have declared their determination sooner to shoot and take them for food than make the surrender, Observing that their Country once affording abundance had become desolate by the hands of a People who knew them not but to increas their Wretchedness, and that they were determined in future to Consider our Domestic Animals as fit objects for the Chase.

This indeed partially they have already done and it will not much longer be suffered by the Planters, who have been loud and Constant in their Complaints to me since my first arrival in the Country— But without much effect, for knowing that very liberal assurances had been made unto the Indians, by Mr. Ellicott and Others and nothing performed together with the natural inference and fondly Continuing my hope from time to time that by extending the Bounty of the United States a favourable opportunity would be presented for the due impression and stipulations I have delayed representation and demand believing that the same would have made *bad* worse.—

Having transmitted so many former Communications in Point this small addition I have no doubt will be Considered enough, and produce the Effects intended— if it shall be deemed expedient by Government to take up the matter at present

In case a Treaty be ordered and the direction thereof with the Governor, I shall have to request very explicit instruction and I take leave with all deference to suggest the Advantage of Annual Donations, over even very Considerable Aggregate Sums.

I have the honour to be,

Sir,

With very respectful Consideration,

(Signed) Winthrop Sargent

The Honourable Secretary of State—

Appointments.

His Excellency the Governor was pleased to appoint Officers of the Militia in the County of Adams as follows to wit—

Daniel Clark Esquire Lieutenant Colonel Commandant.—

Benajah Osmun Esquire Major of Cavalry—

Benjamin Farrer, Daniel Ferguson and George Cochran Esquires, Captains of Cavalry—

William McIntosh, John Minor, and Hampton White Gentlemen Lieutenants of Cavalry— and

John Lintot, John Binghaman and William Scott Gentlemen Cornets.

John Ellis Esquire Major of Infantry—

Abram Ellis Philander Smith and John Collins Esquires, Captains—

Simpson Holmes William Dunbar and Thomas Lovelace Gentlemen Lieutenants.

Nathaniel Hoggett William Lewis and John Pannil Gentlemen Ensigns.

James Elliot Gentleman Adjutant. and

Jesse Greenfield Quarter Master—

To each of whom According to their several grades he Granted a Commission in the words following— *Mutates Mutandus* and dated the twentyfifth of October 1798— except George Cockrans, which was dated the 5th of May 1799

United States
Mississippi Territory By His Excellency.
Winthrop Sargent Esquire
Governour and Commander in Chief of the Militia of the Mississippi Territory within the United States of America.

Appointment.

To Daniel Clark[1] Esquire GREETING

YOU being appointed Lieutenant Colonel Command-
L.S. ant of the Militia of the County of Adams.

By Virtue of the Powers vested in me I do by these presents (reposing Special trust and Confidence, in your Loyalty, Courage, and good Conduct,) Commission you Accordingly— you are therefore Carefully and diligently to discharge

[1] An Irish gentleman and pioneer of West Florida—a firm supporter of the Sargent administration.

the duty of Lieutenant Colonel Commandant, in leading ordering, and Exercising said Militia in arms, both inferior Officers and Soldiers; and to keep them in good order and Discipline— And they are hereby Commanded to Obey you as their Lieutant Colonel Commandant and you are yourself to Observe and follow such Orders and Instructions, as you shall from time to time receive from *ME* or your Superior Officers

Given under my hand and the seal of the said Territory the twenty-fifth day of October in the Year of our Lord One Thousand Seven Hundred and ninetyeight, and of the Independence of the United States of America the twenty-third

(Signed) Winthrop Sargent

By His Excellencys Command
John Steele Secretary

Militia Orders June the 1st 1799—

By the Commander in Chief and for the County of Adams.

With Lieutenant Colonel Commandant Clark, are deposited the Military Commissions for the County and agreeably to the enclosed List *which* the Officers will be pleased to receive from him so soon as it may suit their Convenience— The Commandant to Administer the Oath of Allegiance, and enter a Certificate thereof upon the Back of the Commissions

(Signed) Winthrop Sargent

To the Justices of the Courts of General Quarter Sessions.

Natchez June 3d 1799

Gentlemen

No person being as yet in Commission to Prosecute the Pleas of the United States and Territory, within this Government I have to request you would ask of some of the Gentlemen who

shall be admitted as attornies to attend to this Business in the Present term of the Court of General Quarter Sessions of the Peace— should Occasion require it —

I am &c

(Signed) Winthrop Sargent

Honourable Justices of the Courts of General Quarter Sessions of the Peace.

Counties of Adams & Pickering—

WINTHROP SARGENT Governour of the Mississippi Territory has thought proper to Authorize and Empower Roger Dixon Esquire to tender and Administer unto all and every of the Officers Civil and Military now or hereafter to be appointed in the County of Pickering the several Oaths which are or may be required from them respectively and to receive from them subscriptions thereto whenever the Laws of this Territory shall render the same Necessary.—

In Testimony whereof he has Caused the Public Seal to be hereunto affixed this fourth day of June Anno Domini 1799 and undersigned his name

(Signed) Winthrop Sargent

To Gov. Manuel Gayoso. De Lemos.

June 13th 1799 Natchez

Sir

I have this moment been honoured with your favour of the sixth instant, and have afforded to Mr. Marionett upon your Excellency's recommendation the fullest gratification I could and which I trust may answer his Wishes and Expectations.

Mr Vidal may Calculate upon the Continuance of my best Offices for the Welfare of Individuals of your Nation— In rendering services to the subjects of his Catholic Majesty I per-

suade myself I promote the intentions of my Government and I am sure I need not assure you that at the same time I very much gratify my own Inclinations.

News I have none and knowing your Excellency's important avocations always but more especially just now I forbear to add more but the very best wishes of,

Sir

your very humble Servant,
Signed Winthrop Sargent

His Excellency
Governor Gayoso

To Colo. Daniel Clark.

June 23d 1799 Bellemont

Dear Sir

I have been honoured with your favour of the 18th instant this morning and to which I can but repeat my assurance of all Possible exertions to promote your speedy attainment of the most ample amends for the Indecency offered to your Character— You Certainly Sir do not doubt my Disposition therefor.— I feel it due to your rank and at the same time possess all the Excitement of personal regard and Esteem.

I am not very well at present— either on the morrow or next day I hope to be in Town and to have the pleasure of seeing you— In the meanwhile I assure you that upon a full Consideration of Craigs Conduct I verily believe that a Virtuous Grand Jury would most Certainly find a Bill against him. I enclose you some very Valuable Pamphlets wishing you to make them as Public as possible.

With respectful Consideration I am Sir
your Obedient humble servant
(Signed) Winthrop Sargent

Colo. Daniel Clark.

A transcript was made for transmission to the Secretary of State and authenticated in the words following Viz.

I do Certify that the foregoing Pages from No. One to eightyfive is a transcript taken from the Journal of "the Proceedings of the Governor in his Executive Department" from the first of January until the thirtieth of June 1799 inclusive.

In Testimony whereof I have hereunto set my hand and seal as "Secretary in and for the Mississippi Territory" near Natchez in the County of Adams this sixth day of September in the Year One thousand Seven Hundred and Ninetynine

John Steele L. S.

This transcript was sent on by Judge McGuire, who set out the 13th of October- 1799 for Virginia

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To Daniel Clark.

Bellemont Plantation
July 18th 1799—

Sir

I had the honour to receive your favour of the 16th instant, covering the Copy of a Letter to Captain Collins, and the proposed General Militia order for your Command, *which* perfectly accord with my *Military* Ideas of propriety and probably might be acceptable to most of the Gentlemen in Commission; But as our experience teaches us this Country is not wholly without insidious and wicked Cavillers— Men striving by all their *little* means to thwart and embarrass the most useful arrangements of Government. Perhaps in our orders it will be best, to confine ourselves within the Letter of the Law, and to endeavor to effect such regulations as may not therein be provided for by Recommendation and Example.— No military man can be uninformed of the importance of Dress for a soldier, and the Uniform will I flatter myself be very soon generally Worn by the Officers, I will myself Consider it as highest dress. That Gentlemen in Commission not sufficiently understanding their duty,

will set about perfecting themselves I can have no doubt— Your proposal frequently to assembly them together for this purpose must meet with general approbation, and I have very strong reasons for recommending the Measure.— The Public Exigencies may soon Demand our Military Services, and the interests of our Country and reputation therefore require we should be fully Competent without delay— In the Provision to enable the President of the United States to repel Invasions, large Calculation is made upon the Effective force of the Mississippi Territory, but without the due information of Officers, and attenion to train the Men, *Disappointment* and the most fatal Consequences may ensue— No exertions upon my part however Sir, shall be wanting to a state of Complete preparation for all Events and I rest fully assured of your aid; *for* your Zeal, ability and disposition to service as a Military and Civil Officer within the Territory upon all Occasions which have as yet offered, there is the strongest Testimony.

Major John Ellis Sir, being in the Commission of the Peace may very properly administer the Oath to the Military Officers of his Quarter, which if you have not transmitted your Orders to him, I wish you would be so Obliging as to signify to him is my desire.

With all due respect, I am,
Sir,
your very humble Servant,
(Signed) Winthrop Sargent

Lieutenant Colo- Daniel Clark.

To Timothy Pickering.

Mississippi Territory
July 17th— 1799

Sir.

Upon the last Evening Colo- McKee[1] made me acquainted with his appointment as an agent to the Choctaw Nation— that previous to his departure from Philadelphia, the Secretary at

[1] Col. John McKee.

War had informed him no provision had been made for Presents to those Indians, and that our Particular Friends amongst them had become alarmed, and extremely uneasy thereupon. For relying upon Mr- Ellicotts promises, they had given the most possitive assurances of the intended Bounty of the United States; This Mr- McKee has learned in a Visit to the Nation previous to my seeing him.

I have Sir already Written you very much on those subjects, so very interesting to the Territory, and important to the United States: To the Indians our word seems most unequivocally Pledged; I take leave to quote from Mr- Ellicotts writing

From Natchez June 5th 1797 he writes to Turner Brashears.

"The United States will annually distribute Goods amongst them as the Price of their Friendship."

"I am charged with a Special Commission to the Nation, that I believe will be satisfactory to them, but Circumstances at present forbid me to act."

Again 24th of August in a formal Speech to the red squirrel, red Brother, and the other Chiefs and Warriors of the Choctaw Nation

"Your Brothers of the United States have not forgotten you— as soon as the line is marked, all our Choctaw Brothers who fall on the North side of it will be remembered with our Chickasaw Brothers, and receive good presents."

"Your Brothers of the United States will give you good Goods — they never give their red Brothers any thing that is bad."

"The Spaniards are soon to leave the Walnut Hills and Natchez, and when they go away, your Brothers from the United States will send Traders with Goods to those places, where you may be supplied at a reasonable rate with everything you want, without being overcharged or imposed upon"

All this Sir, and my former many observations upon Indian Affairs in this Country, I request again to bring to your View, and serious Consideration.— soliciting the same may be laid before the Secretary of War, if with you they are not properly in order; not having been instructed to embrace that Channel

for any of my Communications I have believed in you Sir, as the only proper Organ upon all Occasions.

I have the honour to be, Sir,
With every sentiment of respectful Consideration,
your very humble servant,
(signed) Winthrop Sargent

The Honourable secretary of State.

To Thomas Green.

Mississippi Territory
July 20th 1799

Sir.

You having been appointed Treasurer of Pickering County and the Duties thereof in the present moment becoming Necessary, I have to request that you would transmit unto me the Bonds required by Law, in order to Capacitate you to act in the said Office.

I have the honour to be— Sir
your most obedient humble servant
(signed) Winthrop Sargent

Thomas Green Esquire

Port of Entry.

Mississippi Territory
July 20th 1799

(Circular)

Sir

The honourable Congress having been pleased to direct that there shall be a District on the River Mississippi south of the State of Tennessee which shall include all the Waters Shores and inlets of the River Mississippi and other Navigable Rivers and Waters Connected therewith, lying within the Jurisdiction of the United States, and South of the said State, and that it shall be Lawful for the President of the United States to desig-

nate a proper place to be the Port of Entry and delivery within the same, and to appoint a Collector to reside thereat.

And having been requested to transmit for the information of the President, an Opinion as to the proper place for Establishing a Custom-house with the name of some person worthy to be entrusted with the office of Collector; I have taken leave Sir, to address you, with other intelligent Gentlemen of the Territory upon those Subjects, requesting you would be so obliging as to assist me to make the Necessary Communications as early as possible.

I have the honour to be,
Sir,
your most obedient humble servant
(Signed) Winthrop Sargent

To the Honourable— Judge McGuire, the Honble— Judge Bruin. Colo- John Steele, Colo. John Gerault Thomas Green Thomas Wilkins, George Fitzgerald, Daniel Clark, William Dunbar, Thomas Burling John Ellis, Bernard Lintot, James McIntosh and Peter Walker Esquires. Colo- Anthony Hutchins, Colo- Joseph Pannil, Major Benajah Osmun, William Vousdan Esquire, Isaac Guillard Esquire, and Mr- Ebenezar Rees.

To Thomas H. Cushing.[1]

Bellemont July 21st 1799

Sir

Mr- Marschalk[2] having this Evening announced to me your Order for his immediately repairing to the Walnut Hills, I owe it to Public Service to inform you, I had the most possitive assurance from General Wilkinson he should Continue at Natchez to Print the Laws of the Territory— that he has not Completed that Business— That it cannot be done at the place of his desti-

[1] Officer in command during absence of Gen. Wilkinson.
[2] First publisher and editor of Mississippi Territory. Founder of Natchez Gazette.

nation— and furthermore, that this removal will put it out of my Power to avail myself of the much needed facility in disseminating information to the Public, in my opinion at present of very great importance, not only to the Weal of this Territory, but of the United States, and *which* the General assured me I should Command— I forbear to say more, flattering myself this may be sufficient to induce you to Continue Mr- Marschalk's services to the Public, which he can only have it in his power to render, by being suffered to remain in his present Command, and which for the reasons before detailed I presume to solicit.

With much Esteem Sir,
I have the honour to be
(Signed) your most Obedit- humble servant
Major Cushing Winthrop Sargent
Commanding in the Mississippi

To Justices of Adams & Pickering Counties.

Mississippi Territory
July 23d- 1799—

The Governor has not yet appointed an Attorney to Prosecute the Pleas of the United States, or Territory in either of the Counties,— and requests of the Justices of the peace, to ask such attention from of the Gentlemen of the Bar, as shall be found Necessary.

(Signed) Winthrop Sargent.

To the Justices of Adams & Pickering Counties.

His Excellency the Governor was pleased to appoint Officers of the Militia of the County of Pickering as follows to wit.

John Girault Esquire, Lieut. Colo. Comm-dant
Roger Dixon Esquire Major,
Richard Harrison Esquire Major,

Thomas Calvit Esquire
William Thomas Esquire &
Arthur Carney Esquire Captains of Cavalry.
James Truly
Augustus Campbell &
Gibson Clark Gentlemen Lieutenants of Cavalry
James Spain
Robert Miller &
James Davenport, Gentlemen, Cornets.
Tobias Brashear
John Brooks and
George Selser Esquires Captains of Infantry
George Wilson Humphreys
William Smith
Lewis Reed Throckmorton &
Anthony Glass Gentlemen Lieutenants.
Eden Brashear
William Collins, and
John Arden Gentlemen, Ensigns
Augustus Campbell Gentleman Adjutant

To each of whom according to their several Grades he Granted a Commission in the general words (Mutates Mutandis) of the Commission granted by him to Lieutenant Colo. Clark of the County of Adams, and dated the twenty-fifth day of October 1798

Militia Orders for Pickering County

August 1st 1799

The Commander in Chief takes the earliest opportunity to transmit unto Lieutenant Colo. Commandant Girault Commissions for the Officers of the Legion under his Command— He will be pleased to administer unto them the Oath required of all Officers by the "Act of the United States" and make a Cer-

tificate that they have taken the same upon the back of their Commissions.

(Signed) Winthrop Sargent

To Evan Jones.[1]

Mississippi Territory
August 1st 1799

Sir,

When I had the pleasure of seeing you at Natchez, I mentioned unto you the name of John D. Burke who has in effect been banished the United States, for Publishing some Villainous libels against the President— He was presented therefor, and a *Noli Prosequi* Ordered to be entered (he being an alien) upon Condition of his leaving the Country.— He has been a dangerous Turbulent and very Mischievous Man in the only Government where I have known him, and from the University of Dublin was expelled for infamous Political Principles and Conduct— In this view and ruled by *our* national good Will to the Spanish Government, I had intended to have presented him to the Governor of Louisiana— informed that he was to Embark from Charleston South Carolina for New Orleans *where* notwithstanding the best possible Police he might operate material Ill— e're he was enough known— The death of Governor Gayoso, and his immediate successor (as is here reported) leaves me at a loss for more direct Communication than through you sir, which I take leave to request therefore you would be good enough to make in my name to the proper Characters, with fullest assurances of my best Wishes private and Official.

I enclose unto you such of the Laws of this Territory as have been Printed, and will make them Complete as they come from the Press,— believing they may be useful and interesting.

With respectful Esteem, I have the
honour to be, Sir,
your obedient humble servant

(signed) Winthrop Sargent

Evan Jones Esquire
New Orleans

[1] American Consul at New Orleans.

To Timothy Pickering.

Mississippi Territory
(Private) Natchez Augt- 3d- 1799

Dear Sir,

I received your interesting Private Letter of the 20th of May upon the 31st Ult. and will use the Cipher when Necessary— Enclosed you have the number of my Letters, public and Private, Commencing with my apopintment to this Government, Colo- Steele's ill State of health and the want of safe Conveyance, has I believe necessarily delayed the Duplicates which it is his Province to have transmitted.

I also received at the same time, your introductory Letter of Mr- Jones of the 18th of May, and that of the 22nd respecting J. D. Burke, both of which shall receive the due attention.— Governor Gayoso dying Just as Mr- Jones passed this, and as yet having no knowledge of his successor,— I requested him to take a favourable opportunity to make the Communications.

I will write Colo- Hodgdon by this opportunity to request he would refund the 600 Dollars in season— the residue 400 of the 1000 I have before formally advertised you sir was expended in the Tour to the Western Counties in the NorthWestern Territory.

To your Queries relative to Mr- Ellicott &c I have to reply, that I have never heard of ought exceptionable in his Public Conduct as a Commissioner in this Country.— His Private Character has been marked perhaps by some Traits disreputable,— but I have have myself been induced to believe they are derived from a Weak fondness to his son— Indulging him in a Mistress, and even taking her to his own Table— thereby Countenancing the Faith that she was his own.

Mr- Dunbar[1] I believe relinquished the Commission, from Necessary attentions to a Young Family and ill health;— having afforded all the astronomical aid absolutely necessary in the View of *the Spaniards,* they were perhaps very willing to part

[1] William Dunbar, representing Spain on Boundary Commission.

with him to increase their own Emolument.— From various Conversations with Mr- Dunbar, Major Minor and Mr- Ellicotte sir, I am inclined to believe, that Mr- Freeman was intemperate, imprudent, and very inattentive to Duty; But Facts whatever they were, may readily enough be Established if required— sundry applications have been made to me heretofore upon *this subject* which you will be made acquainted with by reference to the secretary's Communications: if I have not been enough explicit sir, you know you may Command me.

With high esteem and equal respect I am,
Dear Sir,

your very humble servant
signed Winthrop Sargent

The Honourable Secretary of State

To James McHenry.

Natchez Aug. the 3d- 1799

Sir.

Upon the 31st I was honoured by your *first* favour bearing date May the 20th 1799

At my appointment to the Government of this Territory, and before I had quitted the North Western Territory, I took leave to address to you a Letter upon Indian Affairs, and requesting to be informed if any, and what Communications should be made to your Office— Adding some matters of private Moment, but interesting only to myself.— It is possible this Letter may have miscarried, or that your multiplied engagements prevented its Notice.

In a Letter bearing date the 17th Ultimo, and to the Secretary of State, I took leave Sir to request a reperusal of all my Communications, relative to the Indians, and that the same should be submitted to you, if not perfectly in order in his Department—and this sir, upon strong Presumption that with very

sufficient reason, they are extremely dissatisfied— there are grounds to suppose French Emissaries are amongst them, and unless we seize the present Moment— unless we perform some of our *Charitable promises* they will Unite with our Foes in the very first opportunity.

I endeavour to Conciliate them by Language but have never made them promises farther than that I would state their poverty to Government, and *solicit* for them: My Economy has been rigid; I have had many Visitors Chiefs sent in by Mitchell the Agent, with Considerable expectations, but the whole amount of Indian Goods distributed, with a few Blankets now on hand does not exceed four hundred Dollars, supplied by a Mr- Hunt, and for which I drew a Bill upon the Department of State, enclosing the receipt therefor as a Voucher, a Duplicate of which shall be transmitted unto the Accountant agreeably to your order.

Provisions have been issued very sparingly—Bread and Beef alone, and *this* always obtained by request from the Militery Commandants instead of Order,— Liquor never has been furnished save by the Glass, and in my own house as refreshment.— The Planters bear the Burden of feeding the Indians, and at times it is almost intolerable, as my own Experience informs me:—'tis no uncommon thing for us to be Visited by two or three hundred Indians at a time, who leave us only at the approach of the sickly season— they *will* be fed, and often eat up a poor farmer in a few meals.— Denial would be Vain, but I tremble for the Consequences which may await the making thereof.— I recommend patience, and Venture assurances that due provision will be made by our Government— That we shall effect some Stipulations with those People, and be enabled to reap our Fields as well as sow them.

They (The) Country being never wholly without Indians, and almost daily Complaints of aggression from them being made to me, an Interpreter has seemed *always* essential— But two persons speaking the Choctaw Language were within my knowl-

edge, one of which a White man might possibly have been procured for forty Dollars per month,— The other is a Slave of Major Minors whom he was about taking to the line, but whom I have detained, intending to allow him fifteen Dollars per month and two Rations.— If the Measure meets not your Approbation sir, I must discharge him. Colo- McKee informs me of the Necessity of an additional Interpreter in the Choctaw Nation with your observation that the appointment was with me.— Upon this also sir I request your Instruction— and Generally Sir I shall I persuade myself, be very much benefitted by your Special Direction in Indian Affairs, and always as in Duty bound most implicitly Governed.

The Buildings to which you allude sir, have been given up to my Care by General Wilkinson— some because it was inconvenient for the Military longer to keep them, and others upon my request, made however upon assurance that they never had been Considered as "Annexed to Military Posts" Under the Administration of the Spanish Government.

The Letter which you Commanded me to transmit to Colo- McKee was not "enclosed" as you probably intended

With very respectful Consideration
I have the honour to be sir,
your most obedient humble servant,
(signed) Winthrop Sargent

The Honourable Secretary of War.

To Timtohy Pickering.

No. 23.— Natchez August the 17th 1799

Sir,

I was honoured with your Public Letter of the 20th of May upon the 31st Ult.

The Petitions alluded to therein I pray may be brought forward in the next session of Congress.— For this people with

as little Candour as Consideration, have published suspicions of inattention thereto, either from the General Government, or their immediate Governor, the latter probably was meant, and I should be extreme sorry, that to their very long list of imaginary Grievances, there should be added one *real* Cause of Complaint.

The Business of the Post Office shall receive all the aid which I can give it.— I do not write you Particularly thereupon by this Conveyance for the want of a former Letter upon the subject, wherein I had made you some information, and *which* is with Colo- Steele, who resides some distance from me at my present writing.— if upon a review of the same I shall believe it essential to take additional measures to obtain a knowledge of the Proper Route for the Mail &c which may incur expense I shall use your Permission to draw for the amount thereof.

Upon Indian Business the Secretary of War has wrote me— but by no means satisfactorily—I hope however he may respond speedily to my Letter of reply, and I trust I shall be better endowed for the absolute Exigencies of this Country. He directs me to hire an Interpreter, during actual Visits of Indians only,— a matter altogether impracticable, but if otherwise, would Certainly be attended with a much greater expense, than the keeping one Constantly in Pay.— In very urgent Occasions trifling presents he observes may be made, but furnishes me not with the Means, nor do I well understand the limitation.—but I flatter myself the representation of General Wilkinson and my Strenuous Endeavours may prevail, and procure an annual Stipend for the Choctaws, for *our* well being *here* seems to me (for very many reasons heretofore detailed) to depend on such Measures.— Be this however as it may, with the greatest Latitude that may be given me, I shall certainly observe very rigid Economy.— Such always has been my rule of Government, and I have to refer only to Investigation and Comparison for Demonstration.

The Public Building at Natchez was put into my Possession upon the first of July, by an order of General Wilkinson pre-

vious to his departure.—Some few necessary repairs to prevent its tumbling down, I shall believe it Economy to direct.

By Colo. Steele's Communications you will observe Sir, that I took the necessary legal steps to bring Coxe to trial within this Territory but without effect, and I have received no reply from the Executive of Tennessee to my demand, though made in due form.

I have received from the Secretary of the Treasury, a request for information of a proper place, for the Port of Entry and Delivery within this *District* and a suitable person as a Collector, to which I delay responding for a short time only, in order to be myself better informed, and of which I request you Sir to be so obliging as to advertize him.—It would have been well that I had been noticed of the Emoluments of the office.

The Militia of this Country are *indeed* badly armed, but I am apprehensive, that the Price will be an insuperable objection to their giving orders for a supply at their own Expense:— I wish however, to be informed if they might be obtained immediately from Government if required; whether Prompt Payment would be absolutely necessary or if a Credit might be obtained— The Laws of Virginia and Connecticut, have been received, but of so ancient a date, that I am apprehensive they will answer us no very good purpose.

With most respectful Consideration,
I have the honour to be Sir,
your obedient humble servant
(Signed) Winthrop Sargent

The Honourable, Secretary of State.

To James McHenry.

Mississippi Territory
Natchez Augt. 18th 1799

Sir,

The enclosed Letter of Mr Howard I do myself the honour of transmitting as a kind of supplement to my information upon

Indian Affairs of the 3d- Ult: And which I believe it my duty to make unto you.

I add only, that Mr. Howard is a Magistrate of the Mississippi Territory, of Judgment and Veracity.

With great respect I have the
honour to be, Sir,
your obedient humble servant,
(Signed) Winthrop Sargent.

The Honble Secretary of War.

To Oliver Wolcott Jr.

Mississippi Territory
Natchez Sept. 17th 1799

Sir

In Consequence of your Directions of May the 14th I have Consulted the most intelligent Gentlemen of this Country, as to the proper place for a Port of Entry and Delivery within the new District, and in the result take leave to name to you the Town of Natchez, and John F. Carmichael as the Collector [1]— He is a Citizen of Pensylvania, Surgeon in the Army, proposes to resign, and establish himself in the Territory, and is well known to the honourable Mr. Ross, and most of the Pensylvania Members of Congress.— from an acquaintance of many years, I feel myself authorized to add (so far as it may influence) my Testimony for the Sufficiency, and respectability of his Character.

It is the opinion Sir of many Gentlemen within the Territory, that in increasing the Ports of Delivery, by permitting one at Clarksville, near the National Boundary, and another at the Bayou Pierre would much accommodate the Inhabitants.

An inflammation in my Eyes, which makes it extreme painful for me to write at present, will apologize I trust for my delay

[1] Dr. Carmichael was appointed first Collector of the Port of Natchez.

in responding to your favour, and not being more particular at this time.

With high respect I have the honour to be sir
your obedient humble servant
(signed) Winthrop Sargent

The Honourable Secretary of the Treasury

To Lewis Evans, Sheriff of Adams County.[1]

Bellemont near Natchez
September 19th 1799

Reconsidering the subject of *another* application for *the Courthouse,* I believe it will most properly come from you to the Military and with assurances, that it shall be to their use whenever needed; for in any immediate interference of mine, it would perhaps by my Duty to make such observations upon the Treatment you have stated to me to have received in the former application, as *might possibly* deprive us of it at this moment, when it seems to be so very necessary,— indeed when we cannot do without it.— and when General Wilkinson arrives, I have no doubt it may be permanently confirmed for Civil purposes.

In the Premises and all other transactions with the Military I have desired, and repeat it, that a delicacy of Conduct may be observed to avoid and prevent, all Cause of Misunderstanding, and promote perfect Harmony.

The Idea that the Military would wish to triumph over the Civil Authority of this Country (which has been suggested to me) is extreme painful.— I persuade myself such Conduct can never obtain with the present Commandant, or any but the most ignorant inconsiderate man. For honour which strongly marks

[1] Lewis Evans, first sheriff of Adams County.

the Character of a soldier, would Wane at Violating the Constitution of our Country.

I am, Sir, your most obedient, humble servant,

(signed) Winthrop Sargent

Mr- Evans—

Sheriff of the County of Adams.

Unfinished Letter to ———— ————

Bellemont Plantation
20th of September 1799

Sir

Having received from the Secretary of State a Letter of the 10th of December Ult: Declaring "the Public Buildings (those of the Forts excepted) within the Mississippi Territory, ought to be in the hands and under the care of this Government" and instructing me to take charge of them accordingly, and that if necessity or Convenience at any time should render it proper to apply them to the use of the Military the application for them, must be to myself, and that the Secretary of War, intirely concurred with him in such opinion,—I communicated the same to General Wilkinson, and believing him to have surrendered to me amongst other Public Buildings, the one at Natchez known formerly as a Hospital, I presumed after the due attention to the Officer Occupying part thereof to appropriate as a Courthouse, and instructed the Sheriff accordingly, not intending I assure you sir, the smallest disrespect to yourself or any Military Gentleman thereby.

Note— The foregoing was an unfinished letter put upon the file by mistake, and never received any Address— by the Governor- J. Steele

To Timothy Pickering.

Private. No. 24 Mississippi Territory
September 20th 1799—

My Dear Sir,

In a late private Letter not made a matter of record with me, and therefore I recollect not the Date, I furnished you with a List of Presentments from the Grand Juries of the two Counties within this Territory that you might be be enough informed of the discontents amongst some of our people.— Originating with the men of those Juries and their particular Associates, has been a Convention of the Territory by Delegates Elected in some instances with formality, and after a very tedious sitting, and such Violence of proceeding as together with the Operation of Cooler Reflection Caused them to be deserted by almost every man of any acknowledged Respectability— there has been presented unto me an Address, the Essence of which is, to reprobate Generally my appointments, and to demand that I should suffer *them*, to Point out to me the proper Characters for Commission, Civil and Military,—in this address they seem to believe, my information of Characters to have been derived from Mr. Ellicotte, and are incensed in the extreme against the man— They proceed to charge him, with encouraging an Idea amongst this people that they could never be within the Jurisdiction of the United States, and inviting them to assume by Violence the Powers and force of the Military of the United States within the District— But I owe it to Government to assure you Sir, that I am in Possession of a most respectful Address to this Gentleman highly honourable and which was presented to him at or near the termination of Spanish Authority here, by the Constituted Representatives of the whole people, called the Permanent Committee.

With the Address to me Sir was another to the Governor and Judges, recommending to us to call upon the people to point out the Laws which we should adopt, Condemning our present Code in the Aggregate and which I have refered to their hon-

ours, Determined however sufficiently upon the rule for my own Conduct.

To the persons bearing the Address to me, I made a few observations Verbally, expressive of my anxious desires to promote the happiness of the Country, that in Legislating, the Judges and myself were bound to Consult the General Interests— That the Laws of our adoption, were for our *own* Government as well as theirs.— That we could not wilfully Err, and would cheerfully *amend,* upon Conviction that the Present Code was not adapted to the situation and Circumstances of the People— that as to the appointments within the Territory, they *would* remain with myself, for *so* my sovereigns had ordered— and that I should Continue to Endeavour unerringly to perform my Duty, satisfied that the same would meet the approbation of the General Government, and eventually of all Good Men.— and further that I had no reason whatever (their remarks notwithstanding) to be dissatisfied with my appointments; that Innuendoes, and insinuations against the Gentlemen in Commission Generally, or even an Individual of them, could not operate a removal— that the Proceeding was disingenuous and Wicked. That direct charges of Malconduct, substantiated by Facts should alone influence me.

What Effect *all this* may have I know not— I learn that upon returning to the Committee, *they* acknowledged, to have been received, and treated with great Politeness, and adjourned to the Close of the present month.—if in the result any thing material may take place, I shall believe it encumbent to Communicate.

I take leave sir to enclose, and request your Perusal of some remarks which may be useful to the United States— I received them from, 374, 566, 1441, 699, 413, 862. 1370. 466.[1]

Considering your many important avocations, it might perhaps have been as well to have addressed them immediately to the Secretary of the Treasury— but I am not Enough Acquainted

[1] Cipher code.

with that Gentleman, to assure myself it might have been taken in good part, and I have the most insuperable dread of intrusions.

With this Letter Sir our Chief Justice leaves us,[1] and I believe it encumbent upon me to give you thus early information thereof, as it may, indeed it will, be attended with Consequences highly injurious to the Territory.— from a Conversation with him, I find that his return will depend upon the opportunity of readily disposing of his property in Virginia— The better means of Educating a young Family within the Territory— and an Act of Congress for raising the Salary of the Judges, *which* perhaps may not take place, and of course we are to expect his resignation,— I suppose he will advertize you of his intentions, upon his arrival in Virginia, and not before,— Bruin will be the only remaining Judge,— Our Laws provide for a Court of Appeals, in the Commencement of the coming year, when the presence of two is required.—I ardently pray sir, that this matter may have your serious Consideration, and that our Judges "reside" within the Territory, for *so* is Essential to the Welfare of the Country, and the Ordinance for its Government.

With every sentimnet of most respectful esteem, I am,
My Dear Sir

Your obedient humble servant
(signed) Winthrop Sargent

The Honourable, Secretary of State.

Appointment of First Attorney General of Mississippi Territory.

His Excellency the Governor was pleased to appoint Lyman Harding[2] Esquire attorney for the United States, and Terri-

[1] Judge William McGuire, of Virginia.

[2] A native of Massachusetts, died at Natchez in 1820; first Attorney-General of the Territory; first Attorney-General of the State.

tory, to whom he granted a Commission in the words following to wit.

By His Excellency
Winthrop Sargent Esquire,
Governour and Commander in Chief, of the
Mississippi Territory.

(L. S.) To all who shall see these Presents—G r e e t i n g.

K n o w Y e, That reposing special Trust and Confidence in the integrity diligence and abilities of Lyman Harding Esquire, I have appointed him to act as an attorney for the United States, and Territory, and do authorize, empower, and require him to Prosecute within the Territory, all delinquents for Crimes and offences against the United States, or the Territory, and all Civil actions in which the United States, or Territory aforesaid, shall be concerned. To have and to hold the said Office, with all the Privileges, and Emoluments, to the same of right appertaining.

In Testimony whereof I have caused the Public Seal to be hereunto affixed. Witness Winthrop Sargent. Governour and Commander in Chief of the Territory aforesaid. Dated near Natchez the twentieth day of September, Anno Domini One Thousand Seven hundred and Ninety nine, and of the Independence of the United States the Twenty fourth.

(signed) Winthrop Sargent.

By His Excellencys Command,
John Steele Secretary.

Appointment of Clerk, Territorial Supreme Court.

His Excellency was pleased to appoint Robert Starke Esquire Clerk of the Supreme Court of the Territory, and Grant him a Commission in the General Words, (Mutates Mutandes) of the Commission Granted by him to Bernard Lintot Esquire Treasurer for the County of Adams, (of the 5th of April 1799) and dated the twentieth day of September 1799.

His Excellency the Governor was also pleased to appoint, William Kenner and William Miller Esquires Justices of the peace for the County of Adams, to each of whom he Granted a Commission in the General Words, (Mutates Mutandes) of the Commission Granted to him by Philander Smith Esquire and others (of the sixth of April 1799) and dated the twentieth of September 1799.

His Excellency was also pleased to appoint William Kenner Esquire Captain of Infantry Hugh Davis Lieutenant, John Pannil Lieutenant, vice Thomas Lovelace resigned, Thomas Dawson Ensign vice John Pannil promoted, and Jesse Carter Ensign in the Militia of the County of Adams, to each of whom he Granted a Commission in the General words (Mutates Mutandes) of the Commission Granted by him to Lieutenant Colonel Daniel Clark (of the 25-th- of October 1799). and dated the twenty eighth day of September 1799.

To Burd Grubb.

Mississippi Territory
September 20-th 1799

Sir,

In reply to your Letter of the 30-th Ult: this day received, I give you my assurance of full Consent to your remaining in the Chickasaw Nation of Indians, so long as the same may be agreeable to them.— persuaded that your Conduct will Comport with your professions of Fidelity to the United States, and that you may be promoting the happiness of a people not as yet enough informed, as also the Public Weal.

with wishes for your happiness

I am, Sir,
your most obedient
humble servant
(signed) Winthrop Sargent

Doctor— Grubb. Chickasaw Nation

To Major ——— Lewis.

Mississippi Territory
September 20-th 1799

Sir

This day Sir, I have received a Letter from Mr- Burd Grubb, in the Chickasaw Nation, expressing a desire to remain there from Various motives, which he will no doubt very willingly detail to you.— Upon Enquiry of his Character, I have reason to believe him much attached to the Government of the United States, and that his residence with those Indians, may at least be useful, (from his professional knowledge as a Physician) to Travellers through the Country.— I wish he may be indulged, under a full persuasion that his Demeanor will always be proper, that it can not Militate with the Interests of the United States, and may be of Public Utility.

With much esteem, I am,

Sir,

your obedient

humble servant

(Signed) Winthrop Sargent.

Major ——————— Lewis.

Agent in the Chickasaw Nation

of Indians

General Militia Orders.

Mississippi Territory
October 4-th *1799*

The Governours Observations, and information of respectable Characters, Evincing that the Law for regulating Slaves within the Territory, is most Shamefully violated, particularly upon Sundays, and the nights of that, and the preceding day, and in a very notorious manner, at, or in the Vicinity of the Town of Natchez, *where* Slaves are said to assemble in Considerable numbers from distant Plantations, Committing great ex-

cesses, and Carrying on an illicit Traffic with the aid and Connivance of the ill disposed. —To prevent which, and preserve due order, the Commandants of Counties will be pleased to direct the Necessary Patrols, who are to be particular in examination of Passports and Permits to the Slaves for the Sale or Purchase of any Articles, or Commodities whotsoever, and to Pursue all due Measures for the Carrying into full force and Effect, the said Law, which is hereunto annexed, for the information of the Patrols Generally.

(Signed) Winthrop Sargent.

To Timothy Pickering.

No- 25 Private. Mississippi Territory
October 12-th 1799

My Dear Sir,

I take leave to introduce to you Mr- Daniel Clark junr- from motives of great personal regard and a due sense of those services, which he has so often rendered unto our Country men at Orleans.

Mr- Clarks intelligence and information will so eminently Capacitate him to explain to you, some late regulations for that Port, and which are unfriendly to our Commerce, that I notice them not in this Letter: I had believed from reports, that this Gentlemen might have been our Consul, in Place of Mr- Jones.— Whose acknowledgement by the Spanish Government is a little Problematical in Consequence of Offices he sustains, said to be incompatible therewith.— Should this actually be the case sir, Mr- Clark's respectability, influence and zeal may Probably render him a very suitable Character for the Office, if the same may be agreeable to him, but I am uninformed if he intends Continuing at Orleans, or to return to his Plantations within this Territory— however situated though, I persuade myself I make

no hazard sir, in assuring you of his ready disposition at all times to the Public service.

With the most respectful Consideration,

I am, My Dear Sir,

your obedient humble servant,

(signed) Winthrop Sargent.

The Honourable Secretary of State.

To Timothy Pickering

Private No- 26 Mississippi Territory

Sir October 13-th 1799

In several former Letters I have requested, that the Powers and Duties of Civil and Military Officers within this Territory in Peace or War should be defined even to common Capacity, to prevent those mistakes which in a Country so remote from the seat of Government, and so embarrassed in its Communications, with the Heads of Departments, might involve very serious Consequences— For my own part I repeat my assurances to avert them as much as in my Powers, by the most Conciliatory manner and measures upon all Occasions, even to full submission to all but very flagrant Violation of our Constitution and Laws until I am specially instructed.

Under the Command of General Wilkinson in our Country I introduced this subject, though as a Gentleman high in rank, with great Private as well as Public Character at stake, we had but little to apprehend, and Notwithstanding our Variance in Sentiment upon the Deposits of the United States heretofore advertized to you, matters went on very smoothly.— I received from him every Public accommodation which I required and with that amiable Urbanity so proper in Official men.— But apprehending a different line of Conduct in those who might succeed him,—that an inconsiderate, or intemperate man in Mili-

tary Command might by omission of Duties, sometimes indispensable, or the Commission of rash proceeding, cause us to realize the dreaded evils,— I Communicated my sentiments very fully, and received the Generals assurances, of the most direct Provision to guard against them.—that the Gentleman who in order *must* be left in Command, should be instructed to Counsel with the Governour— *this* was not the Generals Expression for 'twas *fuller* and seemed to proceed from a perfect Unity of sentiment and apprehension— But Major Cushing, an officer high in the Generals Confidence, I believe arriving about the time of his departure, revoked such intention, though he assured me from Orleans by Letter, that the Major who was in Command upon the Mississippi during his absence had *his* Orders to Consult me in every Exigency, and to render me every service Compatible with his Military Duty—*which* would under the present administration of the Government been enough, had the Generals arrangements been abided by and the disposition to reciprocity of Civilities and accommodation with the subordinate Military Officers been but equal to my own.—

The General had ordered from Walnut Hills to Command at Natchez, an officer Competent to Printing the Laws of the Territory; a Business of high Public moment and which we had no other means of accomplishing.— This Gentleman after being a good deal mortified by his Military Friends for Printing was finally ordered away by Major Cushing, who would no otherwise consent to his pursuing this Work here, than by giving him a Furlough, notwithstanding my serious remonstrances and shewing him that the Interests of this Territory and United States, required my disseminating information and intelligence which could be Effected only through the Medium of the Press.— Observing that an officer might as well turn Taylor, or keep a Tavern at his Command, as to Print, if such had been once his Profession.

I have been deprived of drawing Provision from the Fort here for the Indians— The Contractors agent, has also declined

supplying them, which places me in a very disagreeable situation, for I can not afford to Victual them at my own Expense, and indeed have not always the Means though I might be assured of reembursement— The Consequences must be that I shall make a Contract for this purpose, and at greater Expense probably than the present one, *which* under the Command of General Wilkinson I always used for the Indian Department.

One of the Public Buildings within a short distance of the Fort at Natchez, and used as a kind of General Hospital, which was not surrendered as an appendage of the Fort,—which has laid waste almost all the time since my arrival, and which I had believed actually to have been given up to me by General Wilkinson, is now forcibly withheld.— I had ordered it appraised that it might have been paid for to the United States by the proper County, if it had been their pleasure, and for the use of the Court— The sheriff was ordered to prepare it, but was indelicately I conceive informed that he would be prevented by a Guard.— though the Major afterwards loaned it to him for a sitting of the Supreme Court, observing that he should have refused it upon the Governours Demand, his instructions from the Secretary of State notwithstanding, for he received no orders but through the Secretary of War.— That the Governour had already possessed one Building, to which he had no right, and in a very extraordinary manner, by taking the opportunity between General Wilkinsons departure, and *his* assuming the Command, but that he had stated the same to the Secretary at War, and the annual Value of the house at two hundred Dollars.

The Consequences of such Observations are so obvious, that I forbear to mention them, or to say more upon the Major's statement to the Secretary of War, further then that the whole Building is estimated to be only of the Value of Dollars, that a part of it is occupied by the Secretary as an office,— that I make no other use of the small residue but as an office for myself, and Occasionally to meet the Legislature and Indians— 'tis no accommodation to my Family.

If sir the Military Officers who may have temperance and Discretion (and none others should have Command) might be instructed from the Secretary of War, to be Governed by the Spirit of that Constitution which vests Supremacy in the Civil Authority of the United States and their Territories. —to reciprocate Delicacy and Civilities to Characters in Commission and when they feel themselves Constrained to withhold services or accommodation to do it with Decorum, that good underatanding and Harmony Essential perhaps between Civil and Military every where, but more especially in this remote part of the Union, would be preserved inviolate.— There is an Idea prevailing I believe in most free Governments, that the Gentlemen of the sword would assume to rule— My own Experience and observation, Convince me that they may sometimes exceed the proper limits, but I believe myself to be as free of Jealousies as any Patriotic American ought to be, and whatever Idea may prevail to the Contrary, I trust you will believe sir, that I feel no Disposition whatever to Trespass upon Military Authority, but the most sovereign respect for all the Constituted Powers under our Government.

I have the honour to be,

Sir,

your obedient humble servant,

(signed) Winthrop Sargent

The Honourable Secretary of State.

To John Girault.[1]

October 23-d 1799

Sir.

I received yours of the 22d of August yesterday, and shall attend to all the matters thereof without delay. —Would it not be enough if one Company of Infantry was added, the Captain and Ensign from, or near Bayou Pierre, and the Lieuten-

[1] Had been recorder under the Spanish Government.

ants from Palmers Fork, or the Captain from the latter place, if more agreeable.— No matter which, and to Muster in Detachment, except upon Field days, and for actual service, when they might assemble in Company.

You must recommend to me proper Characters as officers from such knowledge as you possess of the Inhabitants, and I can myself also make Inquiries for information.— You know it would be very pleasing to me to find all the Necessary Qualifications of an officer in men that would be generally agreeable to the people, and you know also that I shall make no improper appointments from any Consideration whatever.

I put the *motion* relative to a site for your County Goal &c into Colo. Steele's hand, asking him to view the Country &c as soon as Convenient. I have just Confidence in him, and should most probably approve his proceeding.— Supposing you should press a little of his attention.— He is very obliging, and though such Business can be no part of his Duty, he will not refuse.

Much Esteem and Good wishes for yourself
and Family, from
your humble servant
(signed) Winthrop Sargent

Colo. John Girault
Pickering County.

To Timothy Pickering.

No. 27. Mississippi Territory
November 1st— 1799.

Sir,

I have received your Letters of the 3d of June and also twenty Volumes of the Laws of the Laws of the United States to Complete the sets intended for this Government, but as I have no Notice of the same I suspect a Previous or Accompanying Letter may have been mislaid.—they came to hand by a Mr. Berthout a swiss Gentleman, who favoured me also with a Tripli-

cate of yours of the 20th- of May and the Particular discription of J. D. Burke— whom I had previously advertized to the Marquis de Cassa Calvo Military Governour of Louisiana, through Mr Jones and received in the same Channel his Excellency's assurance to reciprocate upon any *like* Occasion.— It seems proper I should tell you sir, that Mr. Jones has not been acknowledged as Consul at New Orleans, and that the Vice Consul is suspended, because (as the former writes me) it has not been usual for the Spaniards to allow of Consuls from Nations in Amity with them, in their American Ports, and the Government of the United States has not fixed the Matter of establishing one at New Orleans.

In your favor of the 3d of June, you tell me you will pay to Mr. Hunt to be replaced here as a Contingent Fund the sum of one Thousand dollars, for which and your observations thereupon I request you to accept my thanks, with assurances that no Public Monies in my hands shall ever be misapplied.— I deem myself so fortunate in my Connexions below, and rely so much upon Colo. McKee, in the Indian Country, that I flatter myself I shall not have immediate Occasion for Secret Service mony, though I am not without my fears that our Neighbours are tampering with the Choctaws— 'tis reported they have pretty generally been solicited to visit at Orleans.— I vouch not for the truth thereof, but a Statement without doubt will soon be received from our agent.— and I cannot pass this Occasion of again expressing my solicitude, that Government should make some provision for that nation, or prepare sufficiently to avert the Consequences of omission— They are soured by deception and disappointment.

A part of the monies you have ordered me will be applied to defray the Expense of Printing 200 Copies of the Laws of the Territory— an Indian Interpreter at fifteen Dollars per month, from the October of 1798— and a Building hired at Natchez as an office, Indian Council House, and for the Judges and myself in our Legislative Functions.— the latter expense ceases from

July— the first when as I have already advertized you a Public Building at Natchez, was given up to me by General Wilkinson; it is occupied as offices by Colo. Steele and myself, and will occasionally be used as before specified, but is so much out of repair, that some Expense is Absolutely necessary to prevent its tumbling down.

The Buildings at the Villa Gayoso, shall be particularly surveyed and valued and report made unto you thereof without Unnecessary delay.—I now only briefly tell you, they Consist of a Church, Commandants and Priests house, small Barrics and Kitchen, all framed Buildings ill finished.— the Church has been used as a Courthouse, and I have permitted the Commandant of the Militia to occupy one of the dwelling houses for the Preservation of the others,— But the situation is deemed unhealthy and the County will press erecting the necessary accommodations, in another Position, in which the (they) will be indulged, as they must build a Goal, and of Course the Villa Gayoso must be evacuated— A Mr- Green (very wickedly I think) has set up a claim, relative to which we shall immediately request the Counsel of the attorney General.— As in Duty bound sir, I shall Continue to defend the rights of the United States. —

Although *we* had at first prepared to use the word District in lieu of County, which will account for my style of writing in the Letter you allude to, yet we have since adapted the same, to your inscription upon the seals.

In my Private Letter No.. 24. of September 20th— In (I) Continued my Communications upon the Extraordinary Conduct of some of this people.— since that time, they have so matured the matter as to send forward an agent[1] with representations to Congress, which it is unnecessary for me to observe upon.— Copies were furnished me but not until after his Departure, and to strongly mark their Contempt to authority, they are transmitted through the Indian Country without the Passports required by Law, although the bearer thereof was advised of the

[1]Narsworthy Hunter.

Consequences,— As you Probably sir, are not acquainted with his Character, I take leave to remark that he *seems* to me, a very inconsistent, and intemperate young man,— but not the representative of this people, for though passion, and the acts of a few wicked and designing men for a time seemed to prevail, yet reason is gaining Ground.— Examining the addresses to myself, and to myself and the Judges, and those Memorials borne by the agent, to Congress,[1] you will observe a retrocession of subscribers and indications of the prevailing temper of the times.— I know not if any attention will be bestowed upon the addresses of this Committee farther than that they have long since been Expoused by your Executive.— The names of the signers will first certainly be enquired into, and their Consequences weighed in the scale of that general respectability of the Country, derived from the *due* Consideration and, in a Consciousness that my Public Conduct and its motives can endure the test of investigation, I continue to Glory.— Government may at its pleasure, make experiments in the Mississippi Territory, but if I have a knowledge of the people, they are yet unfitted in every view of the matter for that second stage of Order, which a very few of its inhabitants, have at this time solicited,— We are fortunately endowed with some Characters, that would do honour to any Country.— Dispassionate men of Cultivated minds, and more firmly attached to good order by Families and Wealth, but they are not numerous and of our general state of Population you are already advertized, *which* to the Secretary of State, and for the information of Government renders it unnecessary for me to say more, nor could I answer it to my God or that Government to have been less expressive.

Upon the 20th. of August Judge Tilton wrote me from New York, expressive of an intention to solicit Congress for an increase of pay to the Officers of this Government.— As it relates to myself sir, I will only observe that my expences have arose to very Considerably upwards of three thousand Dollars an-

[1] The petition complained of the Sargent administration, and asked for a Legislature elected by the people.

nually without including Beef and Bread, which has been furnished me from my Plantation; and but for that passion for fame which I believe will cease only with my being, I should decline the honourable service to which I have been appointed.[1]—

Neither the Secretary's office or that of the Judges, can probably implicate them, in the common Expenses of the Governour, but I am sufficiently authorized to say that places of Oversers upon many Plantations within the Territory would better Capacitate them to support themselves and Families, than their present Pay and Emoluments.— The Secretary may, probably *will* have to discharge the Duties of that office, which subjecting a man to much Company in all Countries, is found to be particularly Burdensome and Expensive in *this*, nor can we resist the force of habit, and the most rigid Economy will not enough avail us.[2]

The Judges it is admitted, should be independant in their Circumstances.— and it will not be asserted their present pay can make them so.[3]— Men of fortune will not probably soon take their residence in this Country possessed of the necessary Law reading for the Bench. —and the Independence of Judges therefore is not to be otherwise established, than by adequate salaries from Government— *these* few remarks sir, I have presumed to offer and merely to you, believing much in the good Effect of such representations as you shall be induced to make, and because I think I owe it to the Country, and that you will Pardon the freedom.

I have heretofore sir taken leave to trouble you upon the subject of stamped papers for this Territory; perhaps my application should have been to the Secretary of the Treasury, but in the delay we may possibly experience very ruinous Consequences. I again pray that we may be furnished, and that your means

[1] The salary of the Governor was two thousand dollars.
[2] The Secretary received a salary of seven hundred and fifty dollars.
[3] The judge's salary was seven hundred dollars.

be kindly made use of to avert for the Territory, any Evils to which we may be exposed from delinquency.

With highest respect I am

&c &c

(signed) Winthrop Sargent

The Honble.. Secretary of State.

To Evan Jones

The Grove near Natchez
Mississippi Territory
November 7th.. 1799

Sir,

I have received the extraordinary information from our agent in the Choctaw Nation of Indians that a Conference is proposed to be held with *them* under the order of the Marquis de Cassa Calvo;[1] that *they* are invited for that purpose to the Lakes in a letter from Simeon Favre Chief Indian Interpreter; a Copy of the Letter has not been obtained, but is said to be expressed in terms of high aggravation; to purport that his Chatholic Majesty *will* take the Choctaw Indians (especially those who have received Spanish Commissions and Medals, and who have never exchanged them, for those of the United States) again under his care, and Clothe them as usual, and indecorously arraigning Our Country of negligence.— but as it is possible my information may not be perfectly correct I remonstrate not *directly* to the Marquis, and though it may be no part of Consular duty to attend to such subjects, shall nevertheless avail myself of your obliging offer of services for a true statement

The fifth Article of the Treaty of Amity &c between the United States and Spain, seems to apply to this subject.— it will receive even sacred attention by our Government, and *must* be equally respected by our Friends. A reference to the Correspondence which I had the honour to make with his Excellency's

[1] Spanish Governor of Louisiana.

worthy Predecessor, and which I suppose may easily be had, will shew Strong Traits of the amicable Disposition of the United States, and the delicacy invariably observed in all Transactions any wise relative to the Indians within the Limits of Spain.— a reciprocity we shall *expect* and *demand*, and I know my Country to well to believe they will submit to indignity,— To avert the evils of a misunderstanding between two Powers whose Interests pressingly *demand* Amity, I believe to be no unimportant part of my Duty, and that the *same* may probably be better effected through you sir, than by an address made immediately to the Marquis *in the full faith* of the information before mentioned, *and which* as it is— necessarily constrain strong remonstrance and protest, would not be a very desirable introductory letter.

If it shall be found, that the Marquis has invited the Indians North of our National Boundary to a Conference, I have to request sir, you would be pleased to express to him from me, that I deem the same incompatible with the spirit of the Treaty, between our Countries.— and if that language towards the United States has been used, which you will observe, I have no inconsiderable cause to believe, it may not be improper to express to his Excellency my strong apprehensions, that it will be a source of very great uneasiness, and be good Enough to Communicate to me in the result, for the information of the General Government.[1]

With respectful Consideration, Sir,
I am,
your obedient,
humble servant,
(signed) Winthrop Sargent.

Evan Jones, Esquire
&c &c
New - Orleans.

[1] The Spanish authorities, it is charged, frequently attempted to incite the Indians against the United States, in the early history of the Mississippi Territory.

To Timothy Pickering.

Private No.. 28. Mississippi Territory
November the 8th.. 1799

Dear Sir,

I expressed to you upon the first instant, apprehensions of the misconduct of our *Neighbours*, — the enclosed Letter Nos.. 1 and 2. from the Chactaw Nation received last Evening.— No.. 3 to Mr. Evan Jones our Consul at Orleans, and No. 4 to Daniel Clark junior now at that place are in Point, and all I can add at present, as the Express who will bear this is in waiting, I trust my Conduct may meet the approbation of Government, and that the Problematical Conduct of Spain may induce seasonable arrangement.— We have resources in the upper Country, but previous notice might be essential.— I could wish you would reperuse my Communications immediately after my arrival in the Territory; they were made under apprehensions of Invasion, and might apply.

With most respectful esteem, I am
Dear Sir,
Your obedient humble servant
(signed) Winthrop Sargent

The Honourable Secretary of State.

To Mr. Daniel Clark, Jr.

Private Mississippi Territory
November the 8th— 1799

Dear Sir,

Assured my Confidence is not misplaced and that you have the Interests of the United States in View and at heart at all times, I enclose you an Open Letter to Mr. Jones to be read sealed and delivered, and to receive the advantage of your zeal as far as is essential— to a man of your intilligence I need add no more— of the propriety of Communicating at *all* with Mr. Jones you

will Judge— For all the accompanying letters, I request Certainly Facility and dispatch.— They probably will go forward by yourself.— if not I believe Mr. Berthout who is or will speedily be in Orleans may be a safe Conveyance— case of danger from an Enemy, 'twill be necessary to destroy them— All you can learn relative to this extraordinary invitation for the Choctaws, I request you to detail to the Secretary of State and me.

With much esteem I am,

Dear Sir

your obedient

humble servant

(signed) Winthrop Sargent

Mr. Daniel Clark Junior

New Orleans

General Militia Orders.

Mississippi Territory, November 9th— 1799.

The Governours important Duties of Attention to the Welfare and safety of these People, forbid him longer to delay the full and Complete Organization and Efficiency of the Militia, agreeably to Law and standing Orders— They are therefore to be in immediate preparation for *real* and active service— To those who are not already provided with Knap and Haversacks or the necessary Means of carrying such Baggage and Provisions as might be proper, should they leave their homes, it is strongly recommended to furnish themselves— the Expense can be but trifling, and it is to be Calculated upon as amongst the Possibilities, that they may be wanted.

Commanding Officers of Legions will be pleased to make Correct returns of their Corps and arms as immediately as possible And it is presumed there will be no Deficiency of the Ammunition and Accoutrements required by Law.— The Governour persuades himself of prompt Compliance with this Order— That

there are no Characters within the Territory, so lost to all regard for our general respectability and Welfare, as to prevent or impede its operation: A Continuation of that Conduct, observed with extreme sorrow in some Characters (from whom there were better Expectations) and Evidently intended to frustrate orderly and Constitutional Government may be productive of most fatal Consequences; and for which, such Characters would be accountable to their Country and their God.

Ever desirous of accommodating and Consulting the Convenience of those enrolled in the Militia to the extent of legal Limits, the Governour takes this Occasion to observe to the Commandants of Legions, that in the few instances where men of a Company are very much dispersed and distant they might be permitted to assemble and Exercise upon the monthly Muster Days by Detachment, in Divisions of Companies, and under the order of either of the Commissioned Officers.— Such Indulgence would probably obtain unremitted Exertion and Attention on the part of the men, and equally fit them for field Days or actual service.

To View the Militia assembled under arms is very much desired, and it is with grest anxiety the Governour waits for the County Commandants to name the Day.

(signed) Winthrop Sargent

To John McKee.

No.. 2. The Grove near Natchez
November 9th. 1799

Sir

Your Letter of October the 19th the only one I have received was delayed until Yesterday; the Contents are indeed unpleasant, and I have *indirectly* remonstrated thereupon to the Governour of Louisiana— for want of the Letter of invitation to the Indians, I could not Consistently be direct.

Your own good sense will instruct you to make use of fairest words to the Red people; you can assure them of my unremitted Endeavours that they shall receive the Charity of Government— I have demonstrated to some of them *extraordinery* Friendship— A party that were with General Waynes Army at Fort Washington upon the Ohio.— the Circumstances may be remembered in the Nation, and are in Point to shew the Interest I have taken in their Concerns, and may have its uses.

If you should send in half a dozen leading Choctaws, such, generally, as you may be doubtful of, I would endeavour to Conciliate them.— You must not lose sight that my means are small, but I pass no opportunity to the General Government, to have them increased, and to urge the interests of *those* people.— I have, and shall Continue to transmit your informations to the proper Department, but you will nevertheless, embrace every Occasion yourself.

I am anxious for the information you promised me from Tombigby, and also of a proper route for the mail &c &c —agreeably to the memorandums I gave you.— Be good enough to Number your Letters,— I shall do the same, and this is No.. 2 of mine.

With much esteem &c &c,

(Signed) Winthrop Sargent.

Colo. John McKee
Agent in the Choctaw Nation

His Excellency the Governor was pleased to issue a new Commission for the Court of Common Pleas in the County of Adams, and in the words following viz.

Mississippi
Territory.

By Winthrop Sargent,
Governour of the Mississippi Territory.

To all, who shall see these presents— G r e e t i n g,

K n o w y e, that I have by these Letters made Patent appointed and Commissioned as Justices of the Common Pleas in the County of Adams— Daniel Clark, Bernard Lintot, John Ellis, Thomas Wilkins, George Fitzgerald, John Collins, and William Kenner Esquires, and do authorize and empower them, or any three of them, to hold and keep a Court of Record in the said County to be styled agreeably to the (law) in such case made and provided "The Court of Common Pleas of the County of Adams" and therein to hold Pleas of Assize, Scire Facias, replevins, and hear and determine all manner of Pleas, actions, suits, and Causes of a Civil Nature real, personal, and mixed, according to the Constitution and Laws of the Territory.

In Testimony whereof, I have caused the Public
[L.S.] seal to be hereunto affixed and undersigned my name.

Dated at Natchez, Territory aforesaid, this fourteenth day of November, Anno Domini One thousand seven hundred and ninetynine, and of the Independence of the United States the twentyfourth.

(signed) Winthrop Sargent

To John McKee.

No. 3 Natchez November 25th— 1799

Sir

I have received your three Letters introducing the War Killer, and three other Chiefs to whom I gave a Blanket and Leggins each, with Beef Corn and Pumpkins, which were by no means satisfactory.— There was a tall old Man amongst them, I recollect not now his name, (and your Letter is at the Plantation,) who was particularly troublesome— who demanded an Ox, and whom indeed it would have been difficult, to have satisfied— He produced *a Bunch* of Wampum given him as he said by your Interpreter, with instruction to boldly tell all his wants, and de-

mand that they should be supplied.— that I was rich and ought to purchose for him, from the stores in Natchez,— *this* was wrong in the Interpreter, and must not be repeated They came attended by twenty and more of their Nation, which you will readily Conceive in my embarrassed situation, could not have been very pleasant.

The old man spoke very much of the Spanish invitation to their people, and the presents which would be made to such as accepted it.— I know not how this may be, but I certainly cannot now emulate great Generosity— The Spaniards may have their Views to Justify *even* extravagance for the Choctaws.— they are dreading an incensed man of influence with the Creek Nation.— It is our Policy I believe to Combate all Foes, without recurrence to the savage arm; it may not I think be amiss to endeavour in Common Conversation (not in formal Talks) and if not militating with instructions, *to instill* this amongst the Choctaws, and that in event of War, we should but of them, to remain in peace at home, whilst we ourselves should decide the Fate of Battles.— such was our Conduct— such was our Language in the War with Britain.

I send to your care a Letter for Franchammassatubba, which you will be good enough to have interpreted to his understanding — It is accompanied with a small Compliment for his Wife, which I supposed might be more acceptable, than a small present to him.

With much esteem &c. I am (signed) Winthrop Sargent

Colo. John McKee
Agent in the
Choctaw Nation

To Franchammassatubba, a Choctaw Chief.

Natchez Mississippi Territory
November 25th— 1799

I send you my good friend by the War Killer with whom I am very well pleased a small Keg of Liquor and two yards and a

half of Red and Blue Broad Cloth, for your Wife, as a very small token of my good Will— I have it not in my power at present to offer anything for your own acceptance.— I should have been very glad to have met you before this Time, Face to Face, and to have assured you of the good Will of my Government, but as I know you must be attended by many of your people who would expect presents, and I have not the means to make them I must postpone an invitation in Form, though *this subject* is always in my mind, and I have asked Charity for them, but the great men who must order *this* have very much to attend to, and which requiring time they have not yet granted my request— You who are acknowledged a very Wise and sensible man, are not now to be told, that two *things* can not be well done at once, and that in a Country where there are Millions of people, many things must be done which probably have been left undone, at the Time when by the Treaty with Spain you were first acknowledged to be within the Government, and Consequently under the particular care of the Unites States.

Mr.. Ellicott has I am told made you many promises, but I believe he was not authorized so to do, nor do I believe our Government will be informed thereof, till notice which I have sent forward shall arrive, and which did not come to me for sufficient Credit until very lately.— Many of your people visit me, and I endeavour to give them a hearty Welcome, but some leave me dissatisfied, because I do not take my Coat off my back and give it to them; indeed I do not know if even that would be Enough— but I trust we shall live to see them Wiser and enjoying much better Times, with Independence as the Whites.— What would be the result of sending some Ploughs, Hoes and Looms amongst you? would not the Example of the Creeks, and Chickasaws induce the Choctaws to Agriculture &c there are Certainly very great advantages in it, and if you and I could be the happy Instruments of making it General amongst the Choctaws, it would gladden our hearts in our declining years, as insuring the Welfare of their Children after them.

To Colo. McKee a very respected White man appointed by our great Chief to reside amongst you, and whom I am sure you will Love and honour I refer you to have this Letter interpreted, it is

From the true Friend of all the Choctaws

(signed) Winthrop Sargent

Franchammassatubba

a Choctaw Chief.

Appointments.

By His Excellency

Winthrop Sargent Esquire

Governor and Commander in Chief of the

Mississippi Territory.

To all, to whom these presents shall come—Greeting

Robert Stark's Commission.

Know ye, that I have Constituted and appointed, and do by these presents Constitute and appoint Robert Stark Esquire to be Clerk to the Supreme Court of the Mississippi Territory and do hereby authorize and empower him to do and perform all and whatsoever to the office and duty of Clerk of the Said Court doth any Ways belong are appertain.

(signed) Winthrop Sargent

In Testimony whereof I have caused the Public

L. S. Seal to be hereunto affixed— Witness,

Winthrop Sargent Esquire

Governor and Commander in Chief.

Dated in the Territory the twentyeth day of September, Annoque Domini One Thousand seven Hundred and ninetynine, in the twentyfourth Year of the Independence of the United States of America.

By His Excellency's Command

John Steele Secretary

Certified the

1st Jan. 1800

A transcript of this Journal commencing at Page 165— was made for transmission to the Secretary of State and authorized in the words following viz.

I do certify that the foregoing ninety two pages are a transcript of the Journal of Proceedings of the Governor of the Mississippi Territory in his Executive Department, from the thirtieth day of June 1799 until the first day of January, one thousand eight hundred.

In testimony of which, I have undersigned my name, and affixed my private seal as Secretary in and for the Territory aforesaid, in the county of Adams, this first day of January One thousand eight hundred-

John Steele L. S.

Transmitted from New Orleans in the ship Chesapeak on the — of Jany. 1800- Also a Copy of the Laws for the same term—

To Evan Jones.

Natchez Decr. 14th- 1799

Yesterday Sir, I had the honour to receive your favour of the 16th. Ult. with the declaration of the Governour of Louisiana, that the Choctaw Indians had not been invited by him to a Conference &c- and requesting to be advertized through you of my informer— It was by our Agent in the Nation. I was noticed thereof, and his information came from some of the Chiefs Many of whom, have since made Communications of like import to me, and that in no inconsiderable numbers, *they* were upon their way to Orleans, which is all I have to add at present upon this subject, though *possible* events may make it proper for me again to call it up, and again to trouble you— I enclose you a

Copy of Laws, passed in second session of the Legislature, and am with much respect and esteem.

Sir,
your obliged
and obedient
humble servant
(signed) Winthrop Sargent

Evan Jones Esquire
Consul for the United States
New Orleans.

To Timothy Pickering.

Private Mississippi Territory Decr. 29th. 1799
No. 29

Sir,

Since I informed you of the invitation to a Conference from the Spaniards to our Choctaw Indians, and the Communications of Letters thereupon marked No. 3. & 4. in my dispatches of the 8th- Ult. I have received through Mr. Consul Jones at Orleans, assurances from the Marquis de Casa Calvo, upon his word of honour, (invitation disavowed) that as far as he knew, there was not one word of truth in the Information *I* had received— That so far from having authorized an invitation, he was totally ignorant of any- that as he had no Orders from his superiors to hold a Conference; it was impossible he could give any for such purpose; and he was well aware, that such a step would be Contrary to the Treaty subsisting between his Court and the United States— the Marquis expressed to Mr. Jones some surprize, that he should be thought Capable of Acting so Contrary to his duty— requesting to know the source of my information, and by an Aid de Camp, further formally, and declared unto him, that I have been misinformed. But another Correspondent, whose name I gave you in

— Cyphers in my letter of September 20th— No. 24— writes upon the 27th.. of November thus.

"Numbers of Choctaws arrive here, and as many as 700 are expected, "with the intention it is said, of Compilmenting the Marquis on his arrival— "the time Corresponding too well with your information, not to suspect "them of other Views—I shall watch and advise you."

"The great body of Indians who have been here after receiving Considerable presents have gone away— your Letter (meaning mine of Novem- "ber 7th to Mr. Consul Jones) "has prevented any Congress or Public Talk "if such was intended; and I believe little else than general recommenda- "tions to live in peace have been suggested to them. Captain Reed a Shaw- "anese has been here for some time, and is in waiting he says for a number "of his Countrymen—You can easily learn from him at his return all that "has been said, as he must know every thing proposed to the Choctaws, "having lived in the same house with their Chiefs.

"One of the Choctaws who lives in your Government has assured me, "that the Spaniards only recommended to them to live in friendship."

"A number of the Choctaws have asked of the Governor Spanish Com- "missions,—this he was too wise to grant them, he has however to my knowledge given Certificates to eleven of them, the Contents of which, as well as I am able to recollect is"

"That the Indian therein named while the Nation was in the Territory "of his Chatholic Majesty, was chief of such a Village and was entitled to "the great or little Medal—, but that now the Spanish Government looked "upon him as a Captain among his Nation, without pretending to any right "of Nomination or Interference with their Concerns."

"One of these Certificates was read to me designedly by the Secretary "of the Government and I pretended to pay no attention to it— I procured "however the names of some of the Chiefs to whom they were Granted, and "forward them to you, knowing that a knowledge of this Circumstance will "be sufficient to enable you to get them, or Copies into your hands."—The "certificates are in the Spanish Language, Granted by the Marquis De Casa "Calvo, and Countersigned by the Secretary Andres Lopez de Armisto, "having the Governors Seal affixed to them."

My Correspondent has farther informed me of an Expedition preparing under the Cammand of Don Pedro Olive, an Officer in the Province of Louisiana against Bowles[1] with whose Character you must assuredly be well acquainted— That the Gallies and Gun Boats, with all the small Craft which navigate near new Orleans and Pensacola, were to be sent upon it, with a Detachment of Regular Troops— Free people of Colour, and such of the

[1] Expedition against William Bowles.

Militia as could be prevailed on to March— Probably the force including Sailors, will be about 500 Men—

Colo. Steele will transmit a Copy of Proceedings in the Executive Department of this Government for the last six months, by Water Conveyance to expedite its arrival at Philadelphia, and which I trust may operate as a Counterpart to any Misrepresentations which may be attempted by the indisposed of this Country.

I have the pleasure to believe Opposition to Government Expiring but am not yet happy enough to inform you of the good order of the Militia— The Governours Exercising the *Right* of appointing the Militia Officers, though it is acknowledged he has Chosen some of the best Men, and that there are very few exceptionable Characters in Commission, nevertheless is *said* to be the cause of great Reluctance to be enrolled— I will again address them upon this important service due their Country and if possible Conciliate them to their true interests, in obedience to Laws of the Territory.

With much Respect and esteem,

I am Sir,

your very obedient

humble servant,

(signed) Winthrop Sargent.

The Honourable Secretary of State.

Address to Commanders of Legions.

1800 Jan. 1.

His Excellency the Governor, was pleased to address the Commandants of Legions in the Words following, viz.

Gentlemen,

I had fondly flattered myself, that so obvious necessity of a well Organized and effective Militia in the Mississippi Territory, and the energetic Measures adopted to obtain the same would at an early Period, have produced the due order and perfect ar-

rangement in the Legions of both Counties; but 'tis with extreme pain I learn that at this late day— fifteen Months from the Publication of the General Regulations, and appointment of Officers, and almost a full year, since the passing of the Militia Law— No inconsiderable proportion of *those* required to be enrolled in the Militia, Continue Obstinately to persist in absenting themselves from parade and place of exercise, in Contemptuous Violation of my Reiterated Injunctions, as well as the Supreme authority of the United States, and that there is no immediate Prospect of an Effective Military force from the Inhabitants of this Country— that the Governour Exercising the Power of appointing the Officers is made the Ground of insuperable Objection to Service with a party, who have the *Management* to Counteract all the Exertions of the Commandants and well disposed Officers, *and* that it has been assumed by *them* of late to hold Public meetings for the avowed purpose of electing to office and Command within the Territory.[1]

A P r o c e e d i n g so unconstitutional Gentlemen I am persuaded can not have received your Countenance— From your Zeal and Duty I expect that information which will direct the proper Measures upon such Occasions— a n d o n c e more Gentlemen *most solemnly* I call upon you for your best endeavors to the perfect fulfilment of the Law;— In every Point of View this is an Object of high importance to most of us— In the event perhaps may be implicated our own Reputation and very important concerns of the Inhabitants of the Mississippi Territory, for we are not to suppose our Nation will View with favour or regard those who may rebel against its Powers, or Violate its Ordinances.

Determined Systematic Opposition to sovereign Will as expressed in the Ordinances for the Government of the Mississippi Territory and the Laws which have been adopted by the Constituted Authorities, is a Crime of so very alarming a Ten-

[1] There seems to have been a constant desire, on the part of the people, to elect their militia officers. It was the law, however, that the Governor should appoint them.

dency that I pray God *this* people may never Commit it, and if there be any amongst us inconsiderate enough even to have Contemplated with Complacency such a Measure I most earnestly Recommend the fatal Consequences thereof to their Serious Consideration— To this Moment I have Continued to declare unto the Government my Belief, that their pleasure (as it ought) would eventually be our guide.— From your report Gentlemen, I am to make my further Communications— Facts, *Such* as they may be, it will be my Duty to State, and I shall Conscientiously perform it.

Assemble then your Respective Commands either in Legions, Companies, or detachments as shall be most Convenient— let them be informed it is to be a meeting of more than common Concern, and endeavour to obtain the Attendance of every Man enrolled in the Militia.

Address them Gentlemen in Language adapted to the Occasion, and with that Spirit of Conciliation and Sense of Duty, which I persuade myself governs almost every Gentleman in Commission, Assure them of that disposition to accommodation which I truly feel, and have uniformly expressed— that where all the Necessary Qualifications for Office Unite in a man most agreeable to the people, *such* should be my Election, *but* that Responsibility being with me, and the Constitution requiring I should appoint *all* Officers, I will not directly or indirectly Violate the Trust— Express our Joint determination of Duty in full execution of the Laws, and ascertain with precision, the nature and Magnitude of Opposition, with the names of those therein for my immediate Government— Make me also a Complete return of the Militia with the State of the arms &c as soon as possible. I am,

Gentlemen,

with much Esteem,

your obedent humble servant

(Signed) Winthrop Sargent

The Commandants of Adams & Pickering Counties.

The Commandants of the Militia of Adams and Pickering Counties, are earnestly requested to Cause the foregoing address to be Communicated to the Field Officers Captains and Subalterns of their Respective Legions without delay. from their

most obedient

humble servant,

(Signed) Winthrop Sargent

To the Justice of Court of Gen'l. Quarter Sessions.

Natchez Jany. 2d 1800

Sir

A transcript from the Records of the Court of General Quarter Sessions of the peace for the County of Pickering was received by the Governour in September last, soliciting him to name a Place where a Courthouse and Jail shall be built for the said County, or that he would Commission some persons for the purpose— Stateing at the same time, the Expense necessary to adapt One of the Buildings at the Villa Gayoso for a Prison— In Consequence of which, he addressed the honourable Colo. Steele the Secretary of the Territory, and until the close of the last year, Continued to hope that, that Gentleman's health and Public avocations might have permitted him to have made the necessary observations for his Conduct in this Business But deprived for the present of that source of information, by the Secretary's absence, and to prevent more delay— The Governor will Commit the due investigation to the Justices of the Court aforesaid, associated with the Commissioners under the authority of the "Law directing the manner in which money shall be raised and levied to defray the Charges which may accrue in the several Counties"— Who are Requested to View the Country and report to him, a Situation most proper for the Public Build-

ings, stating specially the reasons upon which they make up their Judgment.

The Governour is however bound in duty, and by his inclinations to promote the interests of the people of that County, to observe that if the Buildings and Situation of the Villa Gayoso might be found of accommodation to the County for the Courts of Justice &c— it is very probable they may be obtained from the United States, at considerably less expense, than new ones possibly can be erected.

I am Sir, with respect

your very humble servant

(Signed)

Winthrop Sargent.

The Presiding Justice of the Court of Genl. Q.
Sessions of the Peace,
Pickering County.

To Oliver Wolcott Jr.

Mississippi Territory
Natchez January 10th 1800

Sir

Upon the enclosed Petition which with the accompanying account, and Certificate, from the Territorial Judges, I know not otherwise how to dispose of, than submitting to your Justice, I take leave Respectfully to Represent, that the charges made by the Parties, could not in equity be against the Territory— The Prisoners having been committed and the expense Consequently incurred for and in behalf of the United States.

If Sir it should seem to you proper, that the account should be allowed, and it may not be in proper Train at the Offices under your immediate Controul, I will myself be much obliged, by your giving it the necessary facility, and shall Embrace the first op-

portunity of Demonstrating gratitude by any services in my Power.

With great Respect I have the honour to be

Sir,

Your obedient humble servant,

(Signed)

Winthrop Sargent

The Honble— Secretary of the Treasury

PROCLAMATION,

By Winthrop Sargent

Governor of the Mississippi Territory.

It having been represented unto me that the great
L. S. Inclemency of the present season, may render it very inconvenient for the inferior Courts of Adams County to be holden at the time which has been Prescribed, I have thought proper to issue this my Proclamation, to postpone the Commencement of the same for the February term to Monday the 10th instant, when they are to be held at the place and in the order as has been heretofore directed.

Given under my hand and the Public Seal, February the first Anno Domini One Thousand eight Hundred, and of the Independence of the United States of America the twentyfourth

(Signed) Winthrop Sargent

By his Excellencys Command

Peter Walker[1] for

John Steele Secretary

William Williams

Keeper of the Seal —

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[1] Peter Walker had been a clerical assistant under the Spanish administration of Gov. Gayoso.

To Timothy Pickering.

Mississippi Territory

No.. 30- Private February the 10th— 1800—

Yesterday my Dear Sir, by Mr. Hunt I received your Private Letter of October the 28th— of last year— but not the Public one you had intended —Your three *emphatic* words upon mine of the preceding June afford me singular satisfaction, and I can continue to assure you, of a pleasing Consciousness, that a Public investigation of my official Conduct, would prove very honourable to my intentions at least.— I have so regularly added of this People from that date, that to the present it will amply suffice, for the information of yourself and Government.

The Provision which you advertise me the Secretary of War Contemplates for the Choctaw Indians seems small indeed. Will it not be eligible for me to speak to them in plain and honest Language— "We are not under obligations to your nation— We want not your services at present, if we should hereafter, and they be afforded, we will pay you for them— Expect not presents — We will however *give* you advice to live in peace, and to hunt and Cultivate your Lands— if you come into our Country and Commit Trespasses, or Capital Crimes, we will Whip, imprison, or hang you as we would the Whites, and we will also punish Exemplarily all aggressions upon you— Strict Justice must be the sum of your expectations, save Bread and Beef when you come to Visit, not live upon us— If you wage war with the People of our Territories, we will send an armed force to your very whigwhams— we will destroy your Fields, and little Stock, and make Captives your Wives and Children—

Such Talk my Dear Sir, and there would at least be a Truce to the *Vain* Complaints of the Indians, and our people of the Mississippi Territory, and perhaps *this* line of Conduct would be most Politic, (Certainly most Economical) but that the former really seem at present to be very much Courted by the Spanish Government— and in War with any European Power Whatever,

might in Consequence take a decided part against us— Whatever shall Sir be signified to me as the pleasure of Government, I will as in Duty bound faithfully Execute.

I take leave to send you the Mississippi Gazette,[1] and shall so continue to do, Requesting after Perusal, that the same may be handed to Colo. Hodgdon.

With the most Respectful esteem

I am dear sir,

your obedient humble servant,

(signed) Winthrop Sargent

The Honourable Secretary of State of the United States—

Mississippi Territory

Proclamation,

By Winthrop Sargent

Governour.

1800 Feb. 12

To all persons whom it may concern, Greeting.

Be it Known, that upon the Representation [*L.S.*] of the attorney, for the United States and Territory, that the alteration which has been directed, in the Terms of the Inferior Courts of the County of Adams will (for the equal administration of Justice in the County of Pickering) Render it essential, to postpone the February sesions of the Courts there also— and that the first Week in March will probably be of General Accommodation.

I Have thought Proper, by these presents made Patent, to direct that the Justices of the Court of General Quarter Sessions of the peace of said County, do hold the Court of General Quarter Sessions of the Peace, at the Villa Gayoso, upon Monday the third day of March next, and that the Courts of Common

[1] The first newspaper published in Mississippi Territory, by Andrew Marschalk, at Natchez.

Pleas and Probate be holden at the same place and in the relative order, as has been heretofore directed.

Given under my hand and the Public Seal, the twelfth day of February Anno Domini One Thousand eight Hundred, and of the Independence of the United States the twentyfourth

(signed)

Winthrop Sargent

By his Excellencys Command
Peter Walker for
John Steele Secretary
William Williams Keeper of the seal—

Passport to Indian Nations.

Upon application of the Commandant of Atakapa Province of Louisiana that a negro and two horses Stolen and in the Chickasaw Nation may be Restored to the Rightful Owner, a Spanish subject.

Natchez 24th- of Feby. 1800—

The bearer Robert Imsbram is permitted to Pass[1] into the Chickasaw Nation of Indians Conditioned that he Conforms strictly to the Laws of the United States, and Territory— In the Business which he has there to Negociate— the Agent of the United States is requested by the undersigned, to afford him such aid, as may in Policy, be due to the subject of a Power with whom we are in Friendship, and from whom 'tis possible we may need Civility under Exactly Similar Circumstances.

(Signed) Winthrop Sargent

The Governor has received by the hands of Ann Walton, the notice of her being fined by the Court of General Quarter

[1] For passage through the Indian Nations it was necessary to secure a passport from the Superintendent of Indian Affairs, for which a small fee was charged.

sessions of the peace of Adams County, with the Request, that he would lesson or Remit the amount thereof; and for Reasons which he is very willing to admit are *good* and *sufficient*, but notwithstanding the full force of *this* and his very unfeigned respect for the honourable Court; Yet as the Laws of the Territory, have absolutely appropriated all fines, either expressly or by implication (One solitary instance only excepted) it is not within the limits of his authority to Controul them.

Mississippi Territory February 24th. 1800—

To James Wilkinson.

The Grove Mississippi Territory
February 27th— 1800

I have my Dear Sir to request, if Compatible with your instructions, or sense of propriety a renewal of those arrangements, which authorise my receiving from the Provision Contractor, through the medium of the official Commanding at Natchez, Rations for the Indian Department.— Pending almost your whole absence from the Territory, this Accommodation has been withheld, and I have been Constrained to purchase at the extravigant Price of the Country embarrassing to myself, and injurious I believe, to the interests of the United States

With Respectful esteem I am,
Dear Sir,
your obedient humble servant
signed Winthrop Sargent

General James Wilkinson -

To Agents of the United States.

Natchez Mississippi Territory
February 28th.. 1800—

The agent or agents of the United States who are in the Chickasaw Nation of Indians are specially Requested to afford

unto the Post Riders of Mr. Abijah Hunt (who has Contracted to carry the Mail from Natchez to Knoxville) all the aid and protection in their Power Consistent with their general Duty, and Instructions.[1]

(Signed) Winthrop Sargent
Governour—

To Timothy Pickering.

No. 31- Natchez Mississippi Territory
March 1st- 1800—

Sir

I was honoured with your Public Letter of November 14th— upon the 23. Ult. by General Wilkinson, who had arrived upon the preceding day—

I shall sir upon your suggestion, seek an opportunity (with as little expense as possible) to prevail upon the Chickasaw Indians, to suffer such establishments within their Country, as may facilitate and secure the Mails, but I am inclined to believe, they will not very readily permit the settlement of white people amongst them—

The "intire satisfaction" of the President at the Contents of my Letters of July the 17th— August the 7th— and the Unofficial one of June the 25th— which you have so obligingly Communicated to me is highly gratifying— if the most unremitted endeavours at Rectitude in Public life, might insure the Just Return I would fondly promise myself to the close thereof the great Reward of perfect Approbation.

In my Letter of December 29th.. No 29—I continued the information Relative to the Visits of the Choctaws at Orleans, the Measures I had taken thereupon, and the *assurances* of the Governour. I sent forward a duplicate of this letter believing it of moment, and must Conclude therefore, that one of them may

[1] First contract for carrying the mails in Mississippi Territory.

have reached you. Upon the 20th— of February Colo. McKee wrote me upon the subject as follows—

"On the 15th— Ult Todohamo a Confidential Chief, whom I had engaged to attend the Conference at Orleans, Returned to the lower Choctaws, of which District he is a Principal Chief, and Informed me, that no bad advices was given to the Chactaws, by the officers of his Catholic Majesty.

Favre the Interpreter was the only Public Character that saw the Chiefs, and he informed them that Governour Gayoso's Successor had not arrived, and Consequently there was no person authorized to talk with Red people but himself— That he had some presents for them, and to inform them, that if they would return in the spring, when the leaves were about half grown, they would receive much larger presents, and meet a man authorized to Talk with them; He told them that the Spaniards and Americans are now at peace, but are like two Traders in the same Town in their Nation, who are struggling who can get the most Skins— when they meet the (they) Speak to each other, and behave with seeming friendship, though there is still a sourness in their hearts and in his most, who has the Smallest share of the Trade,— in Explanation he Told them the greatest sourness was at present in the hearts of the Spaniards"— "larger presents I am informed, have not been made by the Spanish Government, since the Reduction of Pensacola [1]— What object it can have in View, I can not Conjecture— through the Indians I have no Clue to the Mystery— I am Confident however that such presents were not made and greater promises for Ordinary Objects— Bowles's[2] landing in East Florida can not be the original Motive of the Invitation which must have issued from Orleans in September, as it reached the nation as well as my Recollection serves the 20th— of October.

I have engaged Totohamo, in whose truth and Correctness I have the fullest Confidence, to attend the approaching Conference in the Spring, who with another very principal Chief whom I will engage to accompany him will be able in event of bad Counsel being given the Indians, to prevent them from embracing it—

This is the whole of the Colonels Communications to me, and I can not but express my doubts, whilst I transmit the same, of the influence of his Confidential Chiefs, to Counteract the Machinations of the Spaniards, aided by the large presents, their custom it seems to make to the Choctaws— Always poor, but at this time more than ever needy— and forgive me sir, for asking if it it be *Just* to deprive this distressed people (as wanting all the

[1] Referring to the capture of Pensacola by Galvez, May 10, 1781.

[2] William Augustus Bowles, a native of Maryland, who joined the British against his countrymen in 1776. He deserted, went to the Creek Nation, where he became very influential, and married a Creek woman.

necessities of life) of the Charity of the Spaniards, whilst we continue totally to neglect them— My line of Conduct however will be to keep the Marquis[1] indirectly advertised of the Public Sin, and the Train of evils which *may* be the Consequence of his Communication with our Indians— til I am better advised or instructed from Government— Some sufficient annual Presents or Trading houses under due order, or both probably would be of National advantage— but I forbear to be urgent —I anxiously desire however to be informed, how I am to talk to these people, who make no end or Measure to their Solicitations for the Bounty of the United States.—

I wish also to be instructed for my Conduct towards those people, Squatting or establishing themselves upon the Public Lands my Pointed Proclamation of October 4th- 1798— notwithstanding— their number is not inconsiderable, and I am sorry to add, I believe day (daily) increasing— I have forborne any Measures in this Business hoping sir Counsel from your better Judgment either by Public or Private Communications the Prohibition having been submitted long since, by a Duplicate of the Secretary's dispatches— a degree of Odium would no doubt attach to me, from removing the intruders, but the will of Government (as it ought) shall be my guide—

With most respectful Consideration
I have the honour to be Sir,
your obedient humble servant
Signed Winthrop Sargent.

The Honourable Secretary of State—

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[1] Marquis de Casa Calvo, Spanish Governor of Louisiana.

To Burd Grubb.[1]

Mississippi Territory
March 1st 1800—

Sir

In order to give facility and better secure the Mail Contracted to be carried from this to Knoxville it is a Matter very much to be wished, that there were establishments at proper distances upon the Way,— say, at the termination of every forty or fifty miles, or such days Journies as the Post Rider usually makes, and immediately upon the banks of the deep or unfordable Waters— whether establishments are made by white men or the most civilized of the Chickasaw Indians perhaps is immaterial— the latter probably *will* not make them, but if their consent could readily be had, I have no doubt white men might be induced to accomplish this object— for in addition to those advantages which they would derive from Accommodating the Travellers (by report not of inconsiderable number) they might in Certain situations, well enough adapted for the two purposes, enjoy Considerable Benefit from a Trade useful also to the Indians— It would on my part be made an indispensible Condition for permitting Residence in the Nation that ample Provisions of Forage &c should always be supplied to the Post Riders.

The object of making this address to you sir, is for your endeavour to facilitate the Business— To sound the Indians thereupon and if possible to produce from *them* a proposition in Point — Indian honour in such infliction of the Measure, would be pledged for the aid perhaps we can not well do without— to solicit ourselves, might awake those Jealousies which I am truly sorry to say, have so often been enough founded by our Countrymen, but in the present Case, I pourtray honestly all may (my) motives. I write you upon this Occasion from Faith, that neither Major Lewis, or any Public Agent, is at present with the Chicka-

[1] Grubb seems to have been Sargent's confidential agent in the Chickasaw Nation.

saws and from high Confidence in your attachment to the Government, as well as general Intelligence and fitness to manage this Business— established in my mind, by your friends Messrs. Harding and Duncan—

Should the Major be in the Nation you will see the propriety of shewing him this letter and asking in my name his Countenance and Cooperation, and be pleased to offer unto him my Compliments.

With wishes for your health and happiness, I am sir,

Your humble servant

(Signed) Winthrop Sargent

Mr. Burd Grubb-

Residing in the Chickasaw Nation

of Indians. —

To James Wilkinson.

Mississippi Territory

The Grove near Natchez March 10

Sir

In the Communications you obligingly made me upon the first instant, I read with much satisfaction for myself and the poor Indians that as superintendent of their affairs, I should be indulged in giving them provisions from the Public Magazines, and assured of your disposition to Modify this Business to our Convenience— I had flattered myself to be rid of all that embarrassment, which I have so much experienced, under the administration of your subordinate officers, during your absence from the Territory, by their denying this Accommodation, and the Consequent Constraint to make my Purchases in the Town of Natchez at the uncertainty of reembursement, and without Funds for such purpose— But informed this Morning of the withdrawing the Troops from the Town, and with them the Means of Carrying into effect, your and the intentions of Government, I delay not to ask from you, some immediate suitable ar-

rangement, that I may have it in my Power Occasionally to supply those people with Beef and Bread, without more distressing my own Fortunes, or the Risque of accumulating expense to the United States.

I forbear to urge the uses of Continuing a small Garrison at Natchez —that the Indians do and will persist to Visit there in Numbers— that they are often in a State of intoxication— that they *will* be fed from the Planters and Inhabitants, already loudly and Justly Complaining from this Cause (should Government deny Provision) all *this* and the evils which might possibly ensue under the present apparent disposition, must be obvious to your mind without Comment; and I persuade myself I have only to ask for such arrangement as your Judgment shall believe sufficiently meet

With very Respectful Consideration

I have the honour &c—

signed Winthrop Sargent.

General James Wilkinson.

To James Wilkinson.

The Grove Evening of
Mar 17th— 1800.

Sir,

I return thanks for your Promptitude in the arrangement to supply the Indians with Provisions at Natchez— Which I trust may be of national Benefit, and as it appears the extent of your means, I forbear to further urge— The Embarrassments noticed in my leter of the 10th —Instant arose (if I mistake not) as therein expressed, from suspension of the accommodation you had long since made, and now Virtually Renewed— They originated under the Command of Major Hersey, in instructions to Lieutenant Marschalk of Fort Sargent, Prohibitory in his Opinion to Supplying the Indians with Provisions upon request of the

Superintendent— Were Continued by Lieutenant Scott after Major Cushing tooke the Command— which Constrained me sometimes to purchase upon Terms, disadvantageous to the United States— but oftener to deny those people altogether, having within myself no possible Means of Supply.

I make this statement Sir, at your special desire, and submit it to your better Judgment, whether it may not be as well, to pass over the subject without formal enquiry— Your order of the first instant, and Provision of this day, being enough perhaps to guard against the return of such Evils—

I feel anxious to Contribute all in my Power to the Public good, and shall not a moment hesitate in any means to promote the same; I have made unto you some Communications unofficially to this End, which if you believe essential shall be offered in due form.

I am &c

Signed Winthrop Sargent—

General James Wilkinson

To Daniel Clark—

Mississippi Territory
The Grove March 23d 1800

Sir

By the Muster Rolls of Captains Ellis Collins and Kenner, and the Letter of Major Ellis accompanying yours of the 21st instant, it appears there has not as yet been the due attention to my order of the first of January of the present year—those Rolls give me not information of the State of the Arms in the Companies, and except in Captain Collins's Command the excess of absence remains unaccounted for—I am not yet absolutely Constrained to make to the General Government *that* declaration which may eventually operate so seriously to this people that *they will* not yield obedience to the Militia Law, though from appearance to this Moment (with extreme pain I say it) they certainly have not.

If Sir your health may without to much hazard permit, I shall be specially anxious that you Continue in the Command of the Militia of Adams County at least until you are sufficiently informed to make me official Statements whereon to form my *full* report to Government— the astonishing reluctance to service which you mention and the lack of emulation amongst our Officers, I can not admit as sufficient Cause for Resignation, or indeed aught but very ill health, which I pray God you may never have Occasion to offer, for most assuredly you will acknowledge the propriety—the absolute Necessity of a Militia within the Territory, and my Duty Consequent thereupon to have in Command the person best adapted to effect this important purpose—Confirmed in my own opinion of your intelligence, Integrity, and the Requisites for Military Service, by some of the most Respectable Characters of our Government, I Commissioned you as the Lieutenant Colonel Commandant of the Militia of Adams County: and it is Justice to observe, that under all the discouragements to exertion, which I can bear Witness have been many and great, you have Uniformly manifested such laudible zeal, and attachment to service, as well as the Government of the United States and Territory, that I believe very essential to the Public Good you should Continue in Militery as well as Civil Commission

With very Respectful esteem
I am Sir
your obedient humble servant
Signed Winthrop Sargent—

Lieutenant Col. Daniel Clarke—

To Daniel Clark,

The Grove, March 27th 1800

Dear Sir

I delay Mr. Kein but to acknowledge the Receipt of your second Letter announcing the actual necessity of your Resigning

the Command of the Militia of Adams County, and to express most unfeigned Regret that any Cause, but more especially "ill and daily declining state of health" should deprive the Territory of an Officer whose abilities and zeal, I have Continued to honour, and from whose services, I had promised myself the fullest exertion, to the Complete Organization and efficiency of the Militia.

I accept sir your Resignation and am with very much esteem and Respect &c &c

Signed Winthrop Sargent

Daniel Clarke Esquire—

To John Minor.

The Grove Evening
of April 3d. 1800

Sir

From your note of this date, I write what I have verbally expressed to you, and I believe also to Mrs Minor, that the Major at or about the time of his leaving this Country, offered to sell Cesar [1] to me for the sum of three Hundred Dollars, or to Continue him in Public Service, under my direction, and during my pleasure, with such pay as I might *deem adequate* Compensation He Sir, made no Stipulation for 30 Dollars per month, or indeed any sum whatever and my Estimate to the Department of State for Cesars Services, is but the Moity of your Expectation.

I am desirous of Promoting Major Minors interest, and fully satisfied, that when we meet, there will be no difference of sentiment upon this Business.

At present Public Service seems to Render it essential that Cesar should Remain Subject to my Order— On this Condition Sir you may draw upon me in behalf of the Major, for the sum of three Hundred Dollars

I am with esteem &c your

Obt. humble Svt Winthrop Sargent

Mr. John Minor—

[1] A negro slave, the property of Major Stephen Minor, who had been employed by Gov. Sargent as an interpreter in his dealings with the Indians.

To Peter Bryan Bruin.

The Grove Natchez
April 8th 1800.

Sir

The object of this Letter is to Request of your Honour, Enquiry into the Proceedings of the Justices of the Courts of Common Pleas, and General Quarter Sessions of the peace of Pickering County, in Consequence of my Proclamation of the 12th of February directing and Requiring that their Sessions which in Common Order would have been held in the third Week of that Month, should be postponed to the first Week in the ensuing March— so as to Correctly ascertain if that Proclamation was made known to the Presiding or any other of the said Justices, seasonably to have obtained the *due* attention— as *also* into the nature and probable Tendency of Certain Language, said to have been uttered to the Court of Quarter Sessions of the peace, by Mr. Robert Knox a Member of the Bar, and Represented unto me, as "Inflammatory and Seditious.

I should believe sir, that the Testimony of the Sheriff and Clerk would be in Point, and enough, and it would be agreeable to me that the same should be made upon Oath and in the presence of the Presididing Justices who has written to me on a part of the Premisis (which I enclose) but which I am a little at a loss to determine whether meant as apology or insult—

I enclose you also the Statement made unto me, by the Attorney General— Requesting *this* and Mr Dixons Letter may be returned and have the honour to be

With Respectful esteem—
your honours obedient humble servant
(signed) Winthrop Sargent

Honourable Judge Bruin.

To James Wilkinson.

Mississippi Territory
The Grove near Natchez
April 8th 1800—

Sir

Public service will probably require, that I should Visit the Tombeckbee Settlements immediately— I am not yet enough informed to determine the safest, and most Expeditious Route, but at present it seems eligible that I should proceed by Land— and through the Indian Country— May I sir Calculate upon an escort from the Troops under your Command and the Means of Transporting Baggage abslutely necessary for such a Journey from the Quarter Masters Department, together with the use of a Tent.

With Respectful Consideration and
Regard I have the honour to be sir,
your obedient humble servant
(signed) Winthrop Sargent

His Excellency
General James Wilkinson

To Lyman Harding,[1] *Atty. for the United States.*

The Grove near Natchez
Mississippi Territory
April 9th- 1800—

Sir

It is encumbent upon me to call your Particular and immediate attention to service for the United States, in my View at this Juncture, highly important to National Dignity and Interests and specially essenial to the safety and Welfare of the Good people of this Territory— 'Tis legally to Effect the Restoration to my Order for the Use of Government, of an Indian Interpreter who has been forcibly withdrawn from his Duty,

[1] Lyman Harding, first Attorney-General of Mississippi Territory.

by a Mr. John Minor and a Mr. Nolan [1] now Residing within this Territory and in direct Violation of express stipulation Verbally made with his Master, by myself in behalf of the United States: your application will no doubt be to one of the Terri- Territorial Judges and that you may urge sir upon the indispensible necessity for *this* Measure, *that* causes of Mutual Complaint and Crimination are almost every day arising between the White and Red people, absolutely Requiring the services of an Interpreter for amicable adjustment— and that I am not authorized to employ any other than the one I demand Indeed that I know of no other adequate to the purpose who could be engaged, and that from his detention therefore, will probably accrue very serious and alarming Consequences— His name is Cesar, He was placed under my direction, in the service of the United States, in the October of 1798—by Mrs— Minor, her husband (his Master) being then absent, and upon his return very soon after, I Received from him positive assurance that he should Continue in Public Service during my pleasure, for a Compensation which he fully submitted to me to name, and which I fixed at fifteen Dollars per Month— the highest Wages I had known to have been given to a Prime slave, and made my Report to the proper Department Accordingly— To all which, I am ready to make solemn Oath.

With much esteem I am, Sir,
your obedient
humble servant
Signed Winthrop Sargent

Mr. Harding Attorney
for the United States and Mississippi Territory

Postscript to the foregoing
April 11th— Evening—

I open this Letter sir, to add through you for the information of the Judges, that from an affray between some Indians and White people, death will probably ensue to one of the former,

[1] Philip Nolan, a protege of Gen. Wilkinson.

who are now numerous in the Country and threaten Vengeance — My interference can not be made for want of an Interpreter—

To James Wilkinson.

April 10th— 1800—

The Governour Acknowledges with thanks General Wilkinsons proffer to postpone the Funeral Honours ordered by the President of the United States to be paid for the very eminent Services of its Revered Chieftain deceased[1]— The day proposed is as Convenient to the Governour, as any other which might be named, though the place and embarrassments to its approach, with the impracticability of *there* accommodating the Militia, and other Citizens whose Love and Gratitude might ensure attendance would induce solicitation that the ground of Ceremonial on this Occasion of General Sorrow, might be more equally Convenient to every feeling heart within this Territory, but that he believes the intention of Government as it relates to this people, has been substantially fulfilled; for upon the late anniversary of that propitious day, which gave birth to the so illustrious deceased, a procession of the Militia, and Unarmed Citizens was made to the Church at Natchez—Minute Guns were fired from the Fort— They were Joined by the Regular Troops, and Together Mingled their Tears.

General James Wilkinson—

To William Vousdan.

6.O Clock. Morning
of the 12th- of April 1800

Sir

Your information of the Unfortunate affray of yesterday Morning is to me particularly distressing at this Moment, for

[1] George Washington.

I am without an Interpreter, and can not therefore take any direct Means at present, to oppose the Resentments of the Indians— Your proceeding with Respect to Jones, I hope may have the Effect, so fully to illustrate this Matter, that hereafter I may formally state to the Indians, *some* Extenuating Circumstances which the bearer Represents, and Mollify their Resentments for the Death which may ensue— I wish Depositions in due form to be taken, and furnished me, and perhaps it may be well to call to your assistance some other Magistrate, as the Event may involve National Consequences.

I pray of you and every Magistrate, and Good Citizen, that Effectual exertion may be made to bring to Justice those people who Violate the Laws "to prevent supplying the Indians With ardent Spirits."

I have the honour &c &c-

(signed) Winthrop Sargent—

William Vousdan Esquire

To Mr. King.

Natchez Thursday
Noon of April 17th— 1800

Sir

I learn this Moment with extreme sorrow and much apprehension for our Inhabitants, knowing the Savage Disposition to Retaliation that the poor Indian Wounded on the 11th- will die— I am without an Interpreter, and therefore can not Talk with those people, but informed that you in some Measure Communicate— I have to desire you would assure them that the man Committing this act is in Prison and in Irons, and make them Comprehend, that he will Receive a very solemn and formal Trial— I wish to know where the Indian is at present, and the exact state of his Wounds, and to make arrangements for burying him if he should die—if you could find it Convenient to ride to this place I should be glad to Converse with you—I will give a Talk

to the Chiefs most interested in this unfortunate Business, if I can by any means whatever make myself understood—

I am Sir

your most obedient humble servant

(signed) Winthrop Sargent

Mr. King- near Natchez

From the Governour.

Notice is hereby communicated to the Honourable the Territorial Judges, of his intention to Convene them in their legislative Capacity at the Government House Natchez 9- O Clock A.M. upon Monday the fifth of May next ensuing—

Thursday Apl. 17th— 1800

Witness Peter Walker

for

John Steele Secretary —

To John Girault.

Natchez April 17th— 1800

Sir

The absence of Colo. Steele has prevented in some Measure the early attention to those Commissions you allude to but they will not much longer be neglected.

I pretend not to any Controul over the Records of the Court— It seems to me they should be as Convenient as practicable to the place of sitting— I believe your apprehension of the Ejectment of the United States soon, or ever, is not well founded.

With much esteem I am

Sir

your humble servant

(signed) Winthrop Sargent

Colo. John Girault

Pickering County—

To James Wilkinson.

Mississippi Territory
The Grove April 19th.. 1800—

Yesterday Sir I was honoured with your letter of the 12th.. instant upon the subject of a demand for two Spanish deserters &c- which I shall take the very earliest opportunity of laying before the Secretary of State, to receive the Orders of Government thereupon, without which I dare not take any Measures, that might be Construed into an attempt to affect the National Right or intention of general or particular asylum— In all Constitutional endeavours I am I assure you most promptly at your service, and extremely Regret the want of Power to order the instant surrender of those so abandoned Men.

Major Cushing's long letter, which you have thought proper to enclose me, I have hastily run over— I know not if any observations thereupon from me are expected— The present provision, founded upon my embarrassments, and declarations thereof, I trust will be *enough* for the future, which was all I had to request, and I pray that no " Misunderstanding or informality" of mine, may ever deprive the Public of the Benefit thereof.—

The Message which it seems was intended me by the Major through Mr. Brownson, I have no recollection ever to have Received— and I should take shame to myself for any lack of attention or honour to the Major, or any other Officer Civil or Military, with whom I must Necessarily Negociate— and sooner than permit public interests to suffer would at any time Condescend to solicit from a Constable or Corporal— Ignorant of army detail, and the Majors General Orders, I have it seems Erroniously addressed provision Returns to Fort Sargent instead of Mulberry Vale, to my own embarrassment and Public injury— If hereafter I should so again chance to Err, National Considerations will I hope induce that I be put Right as immediately as possible.

As you are sir, so soon to leave the Territory, I take this Occasion to Solicit, that the officer who may be left in Command

receive your instructions to furnish arms and ammunition for the Militia upon my application, which will be made only on great emergency— They are almost totally destitute, and it seems probable, that their Military Services may be required —Our situation at present is more than a little alarming and it is unnecessary for me to observe to you upon the present Disposition of the Savages, or that they have become much more assuming and Insolent since the evacuation of the Posts above— by one of your Officers I am very Credibly informed they have menaced to kill the Cattle of the Inhabitants at the Walnut hills, and to burn the Buildings. If sir it was within your Power, to establish two or three small Posts upon the Frontier of this Territory, near the Grindstone Ford upon the Bayou Peirre, and other General Avenues for the Indians, and you would exercise such power, it might ensure quiet, and Confidence for the Inhabitants, and avert a War Ruinous to all the Agricultural Interests of the Mississippi Territory with the Evil of most enormous Expense to the Nation.

I have the honour to be with Respectful Consideration

Sir,

your obedt. hmble servant

(Signed) Winthrop Sargent

General James Wilkinson

To Captain Smith and his Officers.

The Governour Replies to the Notice of Resignation from Captain Smith and his Officers which he has Just now received, that the same must be made through sub-Legionary to the County Commandants, in order that those officers may at all times be informed of the state of their Corps— The ill and declining State of Colo. Clarks health, having deprived the County of his services, Major Osmun is the senior officer.

With these Observations the Governour sends back the Commissions, wishing to Captain Smith and his Officers, much health and prosperity.

The Grove Evening of April 21st.. 1800

Deposition of Gov. Sargent.

April 21st ..1800- Natchez.

Winthrop sargent Deposeth that Cesar a Black man, and slave of Major Stephen Minor was taken into the service of the United States under his order by permission of Mrs. Minor in the October of 1798, the Major being then absent, and that it was understood to the best of his Recollection that the said Interpreter, was to Receive, or Rather his Master for him, equal Wages to any that were then given to Slaves within the Mississippi Territory.

That soon after upon the return of Major Minor the Deponent proposed to him, some stipulation for Cesars Services, when the Major of his own free will and accord proffered to sell him to the Deponent for the sum of three hundred Dollars or Continue him in the service of the United States, at such wages as he the said Deponent might think adequate Compensation for his services— Adding to the Deponent that if he should not incline to purchase him, he requested he would Continue him in the Public Service, as long as he Could and obtain for him as high Wages as he believed him to deserve— In Consequence of Which the Deponent has actually reported him to the Secretary of the War Department as the slave of the said Major Minor, and engaged as Indian Interpreter for the sum of fifteen Dollars per month and to be Continued such during the pleasure of the Secretary— the Wages at the Time they were fixed by the Deponent, being equal or more than any he had ever known to have been given for a Prime Slave within the Mississippi Territory; for if his information be Correct from such sum was always

subtracted under the Spanish Government a Certain part for subsistance.

The above agreement has been long since reported to the Concerned at present within the Territory and permission given to draw upon the Deponent on account of Cesars Services.

(Signed) Winthrop Sargent—

Appointment of Militia Officers.

His Excellency the Governor was pleased to make Promotions and Appointments in the Militia of the County of Pickering as follows viz—

Captain William Thomas, to be Major of Cavalry
Lieutenant James Truly to be Captain
Cornet James Spane to be Lieutenant,
and Mr. Jacob Stampley to be Cornet of Cavalry.
Thomas White senior to be Captain
William Smith of Baie Peirre Lieutenant
and James Arbuthnot Ensign of Infantry at Baie Peirre—
Moses Bonner Ensign in Lieu of William Collins resigned

To each of whom according to their Several Grades he issued a Commission in the usual form, and dated the 23d. of April 1800.

He was also pleased to appoint and Commission in the usual form John Hinds a Justice of the peace for the County of Pickering, bearing date the 23d of April 1800.

He was also pleased to appoint Jesse Harper Esquire Coroner for the County of Pickering to whom he granted a Commission in the usual form dated the 23d. of April 1800—

To John Minor.

Mississippi Territory
The Grove April 27th.. 1800

In Consequence of Mr. Minors note Received last Evening the Governour observes to him, that from the Circumstance of

Cesar's (the Interpreter) being forced from the service of the United States, to much probable Public damage, it is impossible for him to say, that Government will ever pay for him the Wages proposed in the said note or indeed any— It is possible they may order some Measures unpleasant to the Concerned to be taken upon this Occasion— All that the Governour can do, is to give a Certificate of Time of service, which with a Relative Statement of Facts, shall be transmitted to the proper Department in Philadelphia where Major Minor himself will probably meet it, and have it in his Power to adjust the Business.

To John Girault.

Private

Mississippi Territory
The Grove April 27th.. 1800

The Governour has received and acted almost intirely from Colo. Giraults Recommendations in present appointments, (Commissions upon which are enclosed) and desires if he be not fully satisfied of the fitness of any one Character, that he would withhold the Commission— What is Mr. Bonners Reputation? have there not gone abroad evil reports of him? if so, it should sufficiently appear they have no foundation in Facts, or he must not be Commissioned.

Col John Girault.
Pickering County—

Address to Territorial Judges.

His Excellency the Governor delivered to the Honourable Territorial Judges when Convened in their Legislative Capacity an address in the following words Viz.[1]

[1] This is probably the first message to the law-making power of Mississippi Territory.

To the Honourable Judges of the
Mississippi Territory.

Gentlemen,

The opportunity you have had for practical Knowledge of the effect of the Laws which we have adopted and made, will best determine you upon the necessity of addition, repeal, or amendment; in which, and in every measure salutary to the quiet and Welfare of the Territory, and not incompatible with our official Duty, I trust we shall very Cordially Unite.

Amongst the Laws which we have already adopted and Published two only (in my View) can by any Torture of Construction seem to Militate with the Constitution and Laws of the United States. Treason as a Crime tending, probably, to involve more fatal Consequences upon this Frontier, than in almost any other part of the Union, should Certainly be guarded against by the most energetic Constitutional Measures; but the very appearance of others (though persuaded they would be null in your Judicial Decisions) I am anxious should be Expunged from our statutes.[1] I am inexpressibly pained and Candidly I make the acknowledgement, that we have unintentionally, Committed ourselves in such appearance— I say unintentionally, because I am persuaded it was your meaning, as it was mine, to have perfectly accorded with that Standard, which it is our duty to revere. Whether *this Error* has originated in ourselves, or in transcribing, Responsibility is with us: and the only amends in our Power, are immediately to Repeal so much of the Law to provide against Treason, and Arson, as might be deemed to extend " forfeitures" beyond the lives of persons attainted.

I take the Occasion Gentlemen of our present meeting, to lay before you several addresses from sundry Inhabitants of the Territory to the Governour, and to the Governour and Judges, upon the administration of this Government, by the Executive,

[1] The statute against treason was in conflict with the Constitution of the United States, in that, it provided forfeiture of blood and estate as a penalty.

and Legislature. as it relates to the Executive I have taken upon myself Responsibility; and the reply of the Legislature as it was made in the absence, and of Course, without the express Concurrence of one of your honours, is at this time again submitted for such further Notice as may be deemed meet. The Question made by these addresses of our Right to frame Laws, which they unadvisedly assert we have done in all cases, has not effected any alteration in my sentiment, and having never been otherwise instructed, I shall not hesitate in Concurring to make any salutary Laws; though from a Disposition to accommodate, I would prefer exact adoption from any of the original state whenever such provision might sufficiently apply.

Since the last meeting of the Legislature, I have received the Laws of new Hampshire, North Carolina and Kentucky, and in July of 1799 a Volume from Connecticut and Virginia, but of very old date; all which I have the honour now to lay before you. From the Cursory View thereof, which my many avocations have as yet permitted, I cannot pretend to Recommend for adoption any particular Statute; though my own Observation, and the Experience of some of the best informed people of the Country go to prove Legislative provision in sundry matters of Moment at this Time very essential.

The Laws to prevent furnishing ardent Spirits and intoxicating Liquors to Indians and Slaves have not been found sufficient — Consequences ensue of a very alarming Nature: and unless we may apply an immediate remedy, it is more than probable this Country will very soon be involved in an Indian War, for the frequent affrays which happen and the Violence thereof are Matters of Notoriety.

The Militia of the Territory seem to require, more Compulsory Measures for efficiency, in relation to Commissioned Officers, as well as privates than have been yet adopted.

Some Provision has been earnestly solicited that Lands should be made liable to satisfy Just debts, where there is no other visible property.

We are requested to prohibit by Law, the Slaves within the Territory from raising or Vending of Cotton, which is permitted by some few Planters to the probable injury of most of them: for it is urged, and with truth that this kind of Property, will necessarily always be exposed to theft, which if slaves shall become dealers in Cotton, it will be impossible to guard against. As Connected immediately with this subject, and promoting improper intercourse between the Negroes and those who may be disposed to engage with them in illicit traffic, I submit to your honours the propriety of further Provision against Slaves holding property in horses, by a sufficient penalty upon the Masters, or owners who shall knowingly permit it.

Thus Gentlemen I have taken leave in that order of importance, which they seem to present to my mind, to state to your honours some matters demanding your attention as Legislators: and hope to receive from you such Communications the Result of your Judicial Experience that we may be duly qualified in this important Duty.

It is encumbent on me Gentlemen also at this time to state to you that the Justices in the County of Pickering have held the inferior Courts of the last Term contrary to Law; as an act to legalize proceedings therein, so far as to restore the due order of process in those Courts may be deemed most meet, I submit to you for further information upon this subject a Letter from the Attorney of the United States and Territory upon the necessity of postponing the session for the due administration of Justice— My Consequent Proclamation — a Certified Copy of the Records of proceeding of the Justices— a Letter to the Honourable Judge Bruin— and some depositions made before his honour.

(Signed) Winthrop Sargent

Natchez May 5th— 1800.

To Samuel Dexter.

Mississippi Territory
May 14th- 1800.

Sir

In August of 1799 I communicated to you my sentiments upon the absolute Necessity of keeping an Indian Interpreter in Constant pay (which Events of almost every day abundantly Justify) and that in Conformity to that rigid Economy prescribed me, I had employed a Slave of Major Minors sufficiently Competent in ability, and to be Continued during your pleasure at fifteen dollars per Month — At that time and to the present, One other fit Character only, has been in my View— his services are uncertain, and if to be obtained, would probably be estimated at a very high rate, but under the sufferings of this people from an host of Indians always preying upon, and sometimes insulting them, and being without an Interpreter, I may find it expedient to demand them, *for which* and the Compensation Government will admit, I make my application to you sir for instruction.

The Negro Interpreter has been taken from his Duty, by a Mr. Nolan[1] a dealer in horses who means to use him for their safe passage through the Indian Country to Kentucky—; a Mr. John Minor acting as attorney for his Brother the Major having sold him for such purpose, in Violation of his Brothers parol engagement, that he should Continue under my direction as Indian Interpreter during the pleasure of Government. An essay was made to detain him, by application to one of the Territorial Judges through the Attorney for the Territory, but has been ineffoctual. More energetic Measures might perhaps have been Justifiable upon the Occasion, but from the present apparent disposition of this people, were deemed inexpedient— To Judicial decision I owe, and have yielded Respectful obedience, though I cannot sacrific the Faith, that Law Necessity, and our particular Constitution might have amply Warranted this Interpreters having been instantly Remanded to public Duty.

[1] Philip Nolan.

A demand has been made for thirty Dollars per month for his services, an imposition upon the Public I could not suffer, and in Consequence an Action is Commenced against me, as for a Private Contract in the Court of Common Pleas, Adams County Mississippi Territory, where 'tis more than probable, interest and local Policy, may influence unduly— Is it not Proper Sir, that this Matter should be removed to the Supreme Court of the United States, they Certainly being a party. Will you be pleased to submit the same to the Attorney General, and if such should be his opinion, transmit to this Country, the proper precepts— Much more sir depends upon *this Question* of Jurisdiction than what is immediately involved in the subject now before you.

I take leave for the more full information of the Attorney General and yourself in the Business to enclose Sunday papers in relation thereto.

No. 1 is a Letter from Mr. John Minor stating that he should sell the Interpreter, provided I would not engage him for one year at thirty Dollars per Month, although I had some Considerable time before advertised him of Valuing his Services at fifteen only, to which he then made no objection.

No. 2 My Response.

No. 3. Notice of having sold him, and desiring I should deliver him up, in Consequence of Which, I called upon him, stated the importance of his Remaining in service— That I would make any representation he might ask to the secretary of War, for increase of his Wages, or to obtain his dismission, if that was most agreeable, but that I should not willingly suffer his Departure without the Secretary's leave— having reported him in Public Service and was given to understand, that endeavours should be made to Continue him to my order and Governments use—

No. 4 Mr. Minors letter handed me by the Mr. Nolan before mentioned, who ordered and took away the Interpreter.

No. 5. My Letter to the Attorney for the United States and Territory within this Government and a deposition subscribed,

though not sworn to, and which I understood was admitted as a true Statement by Mr. Minor before one of the Judges

No. 6. A Letter from Mr. Minor Containing an account for the Interpreters services, and demanding payment.

No. 7. Reply to No 6.

I cannot close this letter without doing the Justice to Major Minor to Observe that I verily believe he will pointedly Reprobate this Conduct of his Attorney, and that he is Totally uninformed thereof.

I have the honour to be with the highest respect sir,
your obedient humble servant,
(Signed) Winthrop Sargent.

The Honourable Secretary of War.

To Judges Bruin and Tilton.

Morning of May 19th.. 1800-

The Governour late last night received from the Honourable Judges, Bruin and Tilton, a Bill to render legal the proceedings of two Justices of the Court of Common Pleas, Pickering County in "adjournment ("as well as other Proceedings of the two Justices") instead of a Bill to legalize the Proceedings of the General Quarter Sessions, Contrary to Proclamation founded on Law, as well as the illegal holding and adjournment of the Common Pleas. Upon this subject believing it of much importance the Governour so abundantly dilated in his first meeting the Judges in their present session that he can have nothing to add. He requests their honours to return him the Bill he laid before them in Point to the Premises, with their objections in Writing— as he is particularly anxious, that at a Crisis from which the Validity of all subsequent Proceedings of those inferior Courts may be Questioned his Conduct and proceedings should be adjudged from their own Merits.

The Bill from the Judges is returned, the same (in the Governors opinion) tending Prominently to Countenance an oppo-

sition to a salutary Provision in the Laws of this Territory, submitted to Congress ten years since, by their North Western Territory, and again from this Government, and of Course to be supposed sanctioned, by their approbation. The Governour most unfeignedly, as well as respectfully assures their honours Judges Bruin and Tilton, that it is with no inconsiderable degree of Diffidence and Regret, he feels himself Constrained to dissent from them in Questions of Law, and Constitutional propriety.

The Honourable Judges Bruin and Tilton

To John Marshall.

No. 32. Missisippi Territory
June 1st.. 1800.

I herewith transmit you a rough sketch of the Buildings at the Villa Gayoso, Pickering County, with two Letters from John Girault Esquire Lieutenant Colo. Commandant of the Militia there, relative to the Claim of a Mr. Green for the *same* and the Lands upon which they are situated,— also a letter of Mr. Harding whom I have appointed to prosecute the Pleas of the United States and Territory. Mr. Hardings Statement and Colo. Girault's Letters are so full upon this subject, *which* I have before taken leave to introduce to you, that I add only to impress more forcibly the importance of the Question of Territorial Jurisdiction over the Claims of the United States within our Government, which I very believe would involve the fate of much Valuable landed Property, and other interesting matter—

I need not mention to you that the Object of this Letter is to obtain in form the opinion of the Attorney General, and Counsel for future proceedings, which I presume may be more properly solicited by you than in direct application from myself, and which Considering his many important avocations— and the uncertainty of so timing an address, as least to Hazard intrusion upon indispensible Duty I forbear to make—

Through your obliging agency Sir I will hope to be speedily enough informed, and have the honour to be, Sir

your obedient humble servant

(Signed) Winthrop Sargent

The Honourable Secretary of State—

To Samuel Dexter.

Mississippi Territory
June 1st.. 1800-

Sir

I believe it a Duty to submit the enclosed letter from a Magistrate of Adams County to your Consideration, with this observation, that since my arrival within the Territory there seems to have been a growing insolence in the Choctaw Indians, which I apprehend will terminate in hostility— Relying upon promises of Charity, made for Government by Mr. Ellicott, and my assurance to recommend them (as I have done) for National Bounty, they have hitherto been in some measure *forbearing*, but impatience more and more Indicates itself, and extends to insult, and depredations upon our little fields and other property, aggravating to the Planters Generally, and in which my own interests, and sympathies, have a full share—

With much Respectful Consideration
I have the honour to be sir
your obedient humble servant

(Signed) Winthrop Sargent

The Honourable Secretary of War.

PROCLAMATION,

By Winthrop Sargent

Governour of the

Mississippi Territory.[1]

To all persons who shall see these presents—Greeting

Whereas it has been directed by the Sovereign au-
L. S. thority of the United States, that for the due Execution of Process, Civil and Criminal within this Territory, the Governour shall make proper Devisions thereof, and from time to time as Circumstances Require, lay out the same into Counties, and Townships, subject to future alteration, as may be directed, and it apearing to me, that the Divisions already made, cannot extend to the Inhabitants upon the Tombeckbee, and other Eastern Settlements equal administration of Justice, I have thought proper therefore to Erect a new County, and by these Letters made Patent, do ordain and order, that all and Singular the Lands Lying and being within the following Boundaries viz. The Territorial Boundaries upon the North, East, and South, and the Pearl River on the West, shall Constitute the same, to be named and hereafter to be called the County of Washington. And I do further Ordain, that the County Courts, which have been by Law established, shall be holden and kept therein, at McIntoshes Bluff, in the following order viz. The Court of the General Quarter Sessions of the peace, upon the first Mondays in October, January, April, and July, yearly and every year; The Court of Common Pleas, upon the next Succeeding Wednesdays in the same Months, *also* yearly and every year: And that the Judge of Probate shall hold a Court of Probate at the same place, upon the First Saturdays immediately following the times prescribed for the Court of Common Pleas, yearly and every year: Provided that the first Court shall be held on the first Monday in October next, and not before. AND unto the said

[1] Formation of the third county of Mississippi Territory, now in the State of Alabama.

County of WASHINGTON is hereby Granted, all and Singular the Jurisdictions, Rights, Liberties, Priveledges and Immunities to a County belonging and appertaining— And which any other County that is or may hereafter be erected and laid off, shall or ought to enjoy. Conformably to the Laws and Ordinances of the United States, and of this Territory.

In Witness whereof I have hereunto Set my hand, and Caused the Public Seal to be affixed this fourth day of June, Anno Domini One Thousand eight Hundred, and in the twentyfourth of the Independence of the United States of America.

(Signed) Winthrop Sargent

By his Excellency's Command

John Steele Secretary

Commissions to Justices of the Peace.[1]

His Excellency the Governour was pleased to appoint James Fair, John Johnson, John Chastang, John Collier, Joseph Thompson, and Flood McGuire Esquires Justices of the peace in the County of Washington, and Commissioned them in the Words following Viz

By His Excellency Winthrop Sargent Esquire

Governour and Commander in Chief of the

Mississippi Territory.

To all persons who shall see these presents Greeting

KNOW YE, That I have authorized and empowered James Fair, John Johnson, John Chastang, John Collier, Joseph Thompson, and Flood McGuire Esquires, Justices of the peace of the County of WASHINGTON, to hold and keep a Court of Record in and for said County, to be named and styled agreeable to Law, the Court of General Quarter Sessions of the peace, and therein to enquire by the Oaths of Good and Lawful Men of

[1] First justices of Washington County.

the said County, by whom the truth may be better known of all and all manner of Thefts, Trespasses Riots, Routes, and unlawful assemblies, whatsoever, and all and singular other Misdeeds and Offences, of which by Law Justices of the peace in their General Sessions may and ought to enquire: by whomsoever or howsoever done or perpetrated, or which shall hereafter happen, howsoever to be done or attempted in the County afforesaid Contrary to the form of the Ordinances, and the Acts of Congress, and of the Laws and Ordinances that now are, or hereafter shall be made for the Common Good. And to hear and determine all and singular the said Thefts, Trespasses, Riots, Routs, Unlawful Assemblies, and all and singular other the Premises,— And to do therein what to Justice appertaineth, according to the Laws and Ordinances aforesaid.

In Testimony whereof, I have caused the Public Seal [*L. S.*] to be hereunto affixed and undersigned my name— dated at Natchez Territory afforesaid this fifth day of June Anno Domini One thousand eight hundred and of the Independence of the United States of America the twentyfourth.

(signed) Winthrop Sargent

By his Excellencys Command
John Steele Secretary
William Williams Keeper of the Seal

Commission to Court of Common Pleas.

His Excellency the Governor was pleased to Grant a Commission to the Court of Common Pleas in the County of Washington in the words following viz.

Mississippi Territory
By Winthrop Sargent Governour
of the
Mississippi Territory

To all who shall see these presents—G r e e t i n g—

K N O W Y E, that I have by these Letters made Patent, appointed and Commissioned as Justices of the Common Pleas

in the County of Washington John Johnson, John Chastang, John Collier, Joseph Thompson, and Flood McGuire Esquires, and do authorize and empower them or any three of them, to hold and keep a Court of Record in the said County to be styled agreeably to the Law in such case made and Provided, "The Court of Common Pleas of the County of Washington," and therein to hold Pleas of assize, Scire Facias, Replevins and hear and determine all manner of Pleas actions, suits, and Causes of a Civil Nature, real, personal, and Mixed, according to the Constitution and Laws of the Territory.

In Testimony whereof I have caused the Public Seal [*L. S.*] to be hereunto affixed and undersigned my name, dated at Natchez Territory aforesaid this fifth day of June, Anno Domini One thousand eight hundred and of the Independence of the United States of America the twentyfourth.

(signed) Winthrop Sargent

By his Excellencys Command

John Steele Secretary

Appointment of Various Civil Officials.[1]

His Excellency the Governor was pleased to appoint John McGrew Esquire Coroner, Samuel Mims Esquire Treasurer, James Fair Esquire Judge of Probate, Wilson Carman Esquire Sheriff, and Samuel McCorkle Esquire, Prothonotary to the Court of Common Pleas, Clerk to the Court of General Quarter Sessions, and Recorder for the County of Washington, to each of whom according to their several offices he Granted a Commission in the usual form dated the fifth of June 1800.

He was also pleased to appoint Adam Hollenger Esquire, a Captain of Militia in the County of Washington, and grant to him a Commission in the usual form dated the fifth day of June 1800

[1] First county officers of Washington County.

He was also pleased to appoint Joseph Stiggens Esquire a Captain of Militia, Flood McGrew and William Purce Gentlemen Lieutenants and Daniel Johnson and John Lindor Gentleman Ensigns of Militia in the County of Washington, to each of whom according to their several grades, he Granted a Commission in the usual form dated the 6th— of June 1800 —

He was also pleased to appoint and Commission the Honourable Judge Tilton, and Captain Bartholamew Shamburgh to administer Oaths of office in the County of Washington in the words following viz.

Winthrop Sargent.

Governour of the Mississippi Territory.

Has thought proper to authorize and empower the Honourable Daniel Tilton and Captain Bartholamew Shaumburgh or either of them, to Tender and Administer unto all and every of the officers, Civil or Military, now or hereafter to be appointed in the County of Washington, — the several Oaths which are, or may be required from them Respectively, and to receive from them subscriptions thereto, whenever the Laws of this Territory, shall render the same necessary.

In Testimony whereof he has caused the Public Seal
[L.S.] to be hereunto affixed this fifth day of June Anno Domini 1800. and Undersigned his name—

(Signed) Winthrop Sargent

By His Excellency's Command

John Steele Secretary.

To Judge Daniel Tilton.

The Grove June 6th.. 1800.

Dear Sir,

I regret very much that I was not at the Vale to receive your Visit, as I do on Public account and from personal Considera-

tions, that you have so soon taken your departure from us; but perhaps under the present aspect of Matters, 'tis of much more Consequence that you should proceed into the new County— to give due Tone to Judicial proceedings than enable us to Continue legislating by Remaining at Natchez— The Gentleman appointed Clerk of the Courts will hand you *this*, also a Law authorizing a Term of the Supreme Court, and a Dedimus for administering Oaths, to the Gentlemen in Commission,— which as a Public service, I make no apology in Troubling you with.

With much esteem I am
Dear sir,
your obedient humble servant
(Signed) Winthrop Sargent

The Honourable Judge Tilton

To John Marshall.[1]

No. 33.

Mississippi Territory June 15th.. 1800

Sir

In a Collection of state papers with which I have been favoured, from your office I presume, though they were unaccompanied by Letter, I observe with an equal degree of Mortification and surprize, the Progress of a Certain Mr. Hunter, Styling himself Mississippi Agent,[2] and which I hazard Little in saying, is unexpected to a Majority of that Class of Men, most Respectable according to the general received Scale of Worth and Consequence; and that the chang in Government, which it appears he has nearly effectuated— So far from giving satisfaction to a discontented party, will but Multiply and increase Complaint within the Territory.

Better informed men than Mr. Hunter or the aggregate of the Committee, *whence* he is emanant, hesitate not to say, he has

[1] This letter appears in "Papers in Relation to the Official Conduct of Gov. Sargent," at pages 11-18, published in Boston in 1801.

[2] Narsworthy Hunter, agent for the opponents of the Sargent administration.

made a very incorrect Statement of Wealth and Numbers, and that they are by no means willing, or prepared to meet the increased expense, which to the second Stage of Government[1] must unavoidably accrue— Further that they believe it most advisable to Confide in the modified Legislation of a Governour and Judges with the National Wisdom provided to give permanancy to the Laws, than in any Code they might reasonably Calculate upon from the probable Representatives of the present people.

Fondly persuading myself, that I enjoyed the good opinion, and Confidence of every Branch of the General Government, I naturally inferred that the Petition of Cato West and others would have laid over, for time to have investigated the aspersed Conduct of their Servants, and Obtained the General sense of a people upon a Change Momentous to them to them all, and perhaps not very wise in a National Point of View. We have not yet tried them— are not enough infromed of their attachments or Partialities. I who have studied and ought to know them better, than any other servant of the General Government, owe it to Justice to Acknowledge, I have met with genuine zeal, intelligence and rare abilities, and I should be unpardonably deficient in Liberality, did I not add (after the observations from Mr. West and others) that those Virtues Certainly are not altogether appropriate to "Native Americans." But what is the aggregate Character and disposition? I pretend not to a General Knowledge of the people of the Mississippi Territory — Congress have been informed, that they are Principally from the United States: No great accession of Inhabitants has been attained, since the Change of Government; why, and wherefore then so many of our Countrymen here? I forbear to urge the Enquiry, and submit to National Wisdom and Vigilance to adduce the inference.

In order thereto, and in Candour as well as Justice to my much injured Reputation, Queries are essential— They should be solely Calculated to obtain Truths; and in the event Mr. Hun-

[1] Legislative Assembly elected by the people.

ter Probably would be more known, and the Credibility, as well as Comparative Consequence of the Committee stand on its *own* not the merit of the whole people of the Mississippi Territory.

Had such mode (which I have been taught to believe a due Respect for Public Character should have dictated) been pursued the good opinion of the house, and necessary Confidence of this people, could not have been long suspended by the so Wanton Allegations against the Administration of Territorial Government by the Executive and Legislature.

When Mr. Hunter left this Territory, I did not see him, though I had Courted the acquiantance of this people Generally, and his *Specially* by a very honourable appointment in the Militia.

I have never seen *him*, but from *him* and other Malcontents, I have written expression of very different sentiments, from what have been so lately avowed— No sense of Impropriety in administration— No necessity for " sixtyfour Rank and file" to Recommend an officer— Pity for themselves they possess memory so Treacherous.

Mr. Hunter in his Mission to Congress may be said to have stole away, against strong Remonstrance from the Territorial Secretary, upon the illegality and Probable Consequence of going through the Indian Country without a Passport from the Governour.— It was not until some days after his departure, that I became formally acquainted with any of the objects of his Journey.— Though Vanity and intemperance had led him to Boast upon his management and the Mighty Change he would effect, in this Country and administration.

Under the Panoply of Conscious Rectitude and zeal in service, I disdained all indulgence in official Conduct, and fondly believed, I had nothing to apprehend; The whole Journal of Proceedings in the Executive department of Government, had gone forward accompanied by a Copy of the Laws: from which I assured myself, not only of ample Justification, but the merit of exertion, beyond the narrow limits of mere duty: and I still Continue to flatter myself that special Investigation would do me honour.

To Organize a new Government upon the very Confines of the Power and Energy of the United States— amongst a people of diversity of Interests, sentiment and Language— acknowledgedly unversed in Jurisprudence, and not *all* distinguished for their Complacency—without the aid of the Territorial Judges to a late Period. in ill health and under the apprehension of an attack from a foreign Enimy; must be Confessed an arduous Task — I draw not however upon the Good nature of my Countrymen — 'tis Justice only I ask—

Impeachment seems to have taken an uncommon, an unprecedented form— An Obscure Individual upon Recommendation to Congress by a few Characters unknown to fame— Unknown to that honourable Body (it is presumed) and from an almost unknown Land— has gone forward with a Petition, in its nature libellous, and adding thereto of his own Communications in Sundry Letters Matter full of Accusation of unconstitutional, illegal, Contumacious, and Mercenary Conduct, in the first Executive Magistrate, which has been so far accredited as to Constitute part of a Report to the National Representatives.

The Publicitiy of that Report, Printed by order of the House, and dispersed to the most Remote parts of the Union, with Comments full of Accrimony from a source I forbear to name, s e e m systematically Calculated to sap the Reputation of a declining life the morning and meridian of which have been most faithfully devoted to the honourable service of my Country. Under those unpleasant Circumstances, Silence might be unpardonable— It would be enough for my friends perhaps that I simply denied the Consequential allegations of the Mississippi Committee Cato West Mr. Hunter and others— *those* who enjoying Reputation, duly appreciate its worth would at least suspend Opinion the Sovereignty of the United States— The fountain of Justice, dare not Brand by any act of disapprobation, the Conduct of their servants, but upon proof positive of Maladministration— and to the Malevolent and the Designing I throw the Gauntlet.

For my friends the friends of Truth, who may be interested, and who have not access to the Territorial Records *here* or at the Seat of Government, I should wish, if the saine meet your approbation, to Publish the Record of proceeding in the Executive department Generally but 'tis a measure I dare not adopt without permission.

Upon the Mississippi papers generally, which you have done me the favour to transmit it may be proper to observe— That the statement made in the Petition to Congress upon the appointment of Militia Officers in a Group, and detached from their Commands— That one only of the Judges was Qualified to Legislate or interested in the operation of the Law for raising County Rates and levies is gross misrepresentation and falsehood—

The Militia Officers it is true were Collectively, announced for Counties, but their disposition, and every Legionary arrangement was submitted to the Field Officers under positive Orders, to Consult General Convenience— This appears in the Office of State.

Under the Operation of the Law for assesment the Governour who holds 2690 acres of Land granted to his Wife as a "Feme Sole" by the Spanish Government, actually pays out of the 6040 Dollars a County assessment for Public Buildings &c. for the County of Adams in 1799 the sum of 119 Dollars— The Members of the Mississippi Committee of the same County Six or Seven in Number and equal to two thirds of this unnatural Body are assessed in aggregate 120 dollars only.

The Boasted "ardour" of their leading members, stated in the Petition, has been Conspicuous only in Violence of Opposition to Constituted Authorities under the Spanish and American Governments— The Governours Letter to the Secretary of State of the 20th.. of December 1799. as must appear from the face of it, was really meant to promote the Interests of the people of this Territory, and under such impression a well meaning Member of the Committee obtained a Copy I believe from

the Territorial Secretary for their Information— *Shameless* must *they be,* who blush not at the Base Misapplication.

To the Petition marked no. 1. I did in Truth Reply Verbally, as will appear by my Letter to you bearing date September 20th.. 1799 and an alarming inflammation in my Eyes at that time, from which I have not Recovered would have Rendered it impracticable to have then Committed to paper, had I even deemed it necessary.

To Mr. Ellicott, of whom the Petitioners were so extremely abusive, I add my Continued sense of Obligation, for the Promptitude and Correctness of his informations, *which* influenced but did not Govern my appointments though our Acquaintance of no inconsiderable standing and the high Confidence of Government entitled him to first Notice— I issued no Commissions, till the expiration of more than necessary time, to have Received Communications from Gentlemen in every part of the Territory. My Address in your Office will abundantly Demonstrate, that I Courteously solicited their Acquaintance, but to that address I am Constrained to declare, I received no Response— The Rejoincings said to have been heard throughout the Territory upon the arrival of a Governour from the United States were unknown to me, nor do I remember to have been honoured with a Visit from any one of the Petitioners (a Mr. Dayton excepted) till at a late Period, when the pressure of exigence made Military Appointments absolutely indispensible, and it had been generally understood, that the few amongst them who enjoyed any degree of Confidence even with their Associates, were intended to be honourably N o t i c e d.— I could not it must be admitted Constrain any to Receive Commissions, but by the Resignations and Nonacceptances at the date of the Petition though those were a very limited number I acknowledg, to Regret— Government has not been deprived of *very much* of the Respectability, or intelligence of the Country— the names of Gentlemen are with the Territorial Records in the Office of State, to Corroborate this Opinion, and I pledge to you my sacred honour, that I have never

known an inferior Court in any of the United States, to possess so large a share of the Confidence of the People, as has been unceasingly bestowed upon the Courts of Common Pleas, and General Quarter Sessions of the peace in Adams County. In the County of Pickering no Choice was left me, this was a misfortune to the people but not my fault, and to be remidied *only* by an accession of other and *more* informed men— The appointments however generally I am authorized to say were as unexceptionable even to the people themselves, as any which Could have been made, for I have been assured through the Secretary of the Territory from a leading member of the Committee; that there were six obnoxious Characters only in Commission; as small a proportion to the aggregate appointments, more than One hundred, as in most popular Governments I believe—

The appointments of Officers Civil and Military and the Visit made to Mr. Ellicott, seem to be the great Crimes of the Gov-Governour, as charged by Cato West and Mass.

Their accredited agent Mr. Hunter assumes a bolder Tone, and to affix the Crime of deepest Die. Tanacious (tenacious) of Exclusive National Right in all Mony Matters, as is the honourable house he has so abused by imposition, no accusation could be seemingly more Effectual, than that of the Governours usurping *it,* from the Constituted Authorities in this Remote Region —The assassin Stroke, Blazoned over with Charges of Prodigality in Public Resources, future Views of Taxation &c &c—has no doubt produced the full effect intended from this Quarter ere this, for the foul Traducer Could not hope to remain long undetected. In the Voice of Injured innocence an appeal has been made to the Justices, as you will observe in the enclosed Public prints.

The site of Public Buildings introduced by Mr. Hunter to Congress, as another Complaint against your Executive is fully explained in a Letter to Messrs.. Walker and Evans, bearing date November 24th.. 1798 in your office— It was fixed by those Gentlemen, with the Advice of Judge Bruin, upon the Principles *therein* detailed, and against my own private interest in Lands,

which would have been Materially Benefitted by another Position, advocated by some.

Upon the subject of making or adopting Laws, I have wrote you largely heretofore It is not necessary to Repeat my own opinions— Many Letters in your office, evince my anxiety to have possessed the Codes of the original States. We began legislating however, with the Laws of the Northwestern Territory only— They had been long subject to the disapprobation of the Honourable Congress, and *daring* not to doubt *their* attention, we believed them good.— We have uniformly Continued however to declare our willingmess to receive and respect authenticated informations for the quiet and interests of the People.

An alarming Depopulation Mr. Hunter says took place under Doctor White &c— Since this Extraordinary information, I have made it a Business to enquire, and Venture to assure you, that five families Constitute the Total— One of which migrated to avoid Prosecution for Malpractice, and that the Residue have Returned to the Territory. This Depopulation is ascribed "*to the morose* arbitrary Contumacy of Governour Sargent." My Treatment to the people of this Territory— To Doctor White specially, has been Courteous —but he had made his Election, as was pretty evident from being found in this Country— The Governour or Secretary's appointment might have detained him a Little, but all this is enough understood, I believe by the Doctors acquaintances *here* and at the Seat of Government.

No Contumacy has ever marked my words or actions, S A V E upon anonymous, Menacing and Incendiary Letters addressed to me, and pretty Public declarations that I should have enough of *them*, the Observations that I was not to be operated upon in *such way*, that though the people of this Country might have *so* acted upon the nerve of a Spanish Governour, *even* to Torting him, that I should not be detered, by any motive of personal safety, or Consideration from the full discharge of My Duty— that I presumed not upon the "internal debility" so pathetically lamented by the Committee, for it had been my Maxim to defy

faction in its most Gigantic form, may have been so Construed. But I fear sir I trespass upon your important time; accused however Publicly without the Certainty of other Means of averting falsehood, and foulest slander, I rely on your, and the Public Benignity for forgiveness— One other part of Mr. Hunters much Defamation will I notice

The Governour " has been in the habit of Exacting and Receiving fees for passports &c says Mr. Hunter.

In the Northwestern Territory the Governour has a fee upon all Civil Commissions and which long since must have been known to Congress— But believing it improper that any Compensation should be made for services Contemplated in the appointment it was never my Practice *there* to take it, and the Rule in this Country has at my instance been enforced by Law. Marriage is to be obtained upon the Publication of the Banns for three several Holydays, at the expense of Seventyfive Censts, or the Governour may License specially without Publication— So 'tis declared by Law, which attaches great Consequent Responsibility— and so many attempts have been made at imposition that the necessary Enquiries to granting Matrimonial Petitions, are attended in some Cases with the trouble of taking affidavits— Receiving and filing Certificates— Services not Contemplated in his appointment, and for which it has been his general Rule to Receive eight Dollars— When Circumstances have seemed to make immediate solemnization so necessary that usual forms could not well be complied with, to the needy he has made no Charge.— And to his Acquaintances generally— To Military and Civil Officers, who have had Occasion to apply, and when no doubts as to the propriety of Union may have arisen Licences have issued Gratis.

Taverns in this hospitable Country are few— The Law provides a fee, which has not however always been taken— For passports I have not received the sum of twenty Dollars— It has been a Business of much trouble, some expense in Printing of Blanks, and of late they seem to be out of use.

Extreme anxious Sir, always to live in the good opinion of our most Respected President, I shall take leave to transmit a Duplicate of this letter to his seat at Quincy, though the same may not be exactly in order, and I trust it may efface all unfavourable impression, which the Boldness of Charges can not but have made upon his and your mind,

With most Respectful Consideration
I am sir
your obedient humble servant
(Signed) Winthrop Sargent

The Honourable Secretary of State

PROCLAMATION.

By Winthrop Sargent,

Governour of the Mississippi Territory.

W h e r e a s it has been "Enacted by the senate and house of Representatives of the United States in Congress assembled, that so much of the Odinance of Congress of the thirteenth of July One Thousand seven Hundred and Eightyseven, and of the act of Congress of the Seventh of August, one Thousand seven Hundred and Eightynine, Providing for the Government of the Territory of the United States Northwest of the River Ohio, as relates to the Organization of a General Assembly therein, and prescribes the Powers thereof, shall forthwith operate and be in furce, in the Mississippi Territory.[1] P r o v i d e d, that until the Number of free Male Inhabitants of full age in the said Territory, shall amount to five thousand, there shall not be Returned to the General Assembly more than nine Representatives" "a n d," "That until the number of free Male Inhabitants of full age in the Mississippi Territory shall amount to five Thousand the County of Adams shall be entitled to Choose four Representa-

[1] Act of Congress of May 10, 1800.

tives to the General Assembly, the County of Pickering four, and the Tensaw and Tombigby settlements One"

"That the first Election for Representatives to the General assembly, shall be on the fourth Monday of July next, and all subsequent Elections shall be Regulated by the legislature"

AND WHEREAS it has been "further Enacted, that it shall be the Duty of the Governour of the Mississippi Territory, to cause the said Election to be holden on the day aforesaid, at the most Convenient places, in the Counties and settlements aforesaid and to nominate a proper officer, or officers, to Preside at, and Conduct the same, and to Return to him the names of the persons who may have been duly elected.

BE IT KNOWN THEREFORE, that I do in obedience to the Will and pleasure of the General Government, (as is herein before Expressed) ORDAIN, that the Election of Representatives, in the Counties of Adams, and Pickering, and the settlements upon Tensaw, and Tombigby (now Washington County) shall be made at the Places, where the Respective Courts have been ordered to be holden; and I do hereby nominate the Sheriffs Lewis Evans, William Ferguson, and Wilson Carman Esquires, to preside at said Elections, in their several Counties— and with the aid of the Coroners and Clerks of the Courts of General Quarter Sessions of the peace to Conduct the same (in exact Conformity to the Laws and Ordinances directing the time, and Ordaining the Qualifications of Electors and Representatives) and to return unto me the names of those presons who shall be Duly Elected.

Given at the Bellemont Plantation near Natchez this twenty-fourth day of June Anno Domini One Thousand Eight Hundred and of the Independence of the United States of America, the Twentyfourth.

In Testimony of which I have undersigned my name, and Caused the public seal to be hereunto affixed

(signed) Winthrop Sargent

By his Excellencys Command

John Steele Secretary

William Williams Keeper of the seal—

Though the Governour has by the foregoing Proclamation, discharged his present immediate Duty as prescribed by the supplemental act " for the Government of the Mississippi Territory, it will not be taken amiss (he trusts) for him to add from the Ordinance of Eighty seven

"That no person can be Eligible, or Qualified to act as a Representative, unless he shall heve been a Citizen of One of the United States three years, and be a Resident of the District, or unless he shall have resided in the District three Years, and in either Case shall likewise hold in his own Right in Fee simple two hundred acres of Land within the same"

"That a freehold of fifty acres of Land in the District, having been a Citizen of one of the States, and being Resident in the District, or the like freehold and two years Residence in the District, shall be necessary to Qualify a Man as an Elector of a Representative."

And that the Representatives duly Elected will be Convened at the Town of Natchez upon the fourth Monday of September next.

The Governour takes leave further to add his sincere Wishes, that perfect order and regularity may be observed at the Elections and that Contending parties (which have been stated to him heretofore to have existed) may Cordially Harmonize to produce the most honourable Representation, of the Integrity and abilities of the Mississippi Territory.

A Transcript of this Journal from page 227. was made for transmission to the Secretary of State, and authenticated in the Words following Viz—

The foregoing one hundred and fifteen pages Contain a transcript of the Journal of

"*Proceedings of the Governor in his Executive Department*" from the first day of January until the thirtieth day of June 1800, including two letters omitted in December 1799—

In Testimony whereof I have undersigned my Name and affixed my private Seal, " as Secretary in and for the Mississippi Territory" at Natchez this 24th- day of August 1800—

John Steele L.S.

Transmitted to the Mail in Aug 1800

To Daniel Clark.[1]

The Grove June 7th- 1800—

Not until the last Evening my Dear Sir, was I honoured with your favour of the 20th.. Ult:

Personal anxiety for Mr. Fero may cease, for I believe he is in health at Natchez —though from Report and the Complexion of a Letter Received from General Wilkinson my apprehensions were equal to your own—

The General seems to have been duly impressed upon this Occasion, and having myself a full share of horror at the atrociousness of the Offence I lost no time in submitting his Letter to their honours the Judges, and have the satisfaction to assure you, that I trust, *we* shall escape the Infamy of passing over in Silence this violation of Rights, which even Savage Nations have consented to hold sacred—

I would to God for the honour of our Government there remained equal hope of the due investigation for the Manifold outrages upon Decorum, and the Municipal Laws.—

As one of their Principal and (in Justice I add) most Watchful Guardians, I believe in your Sympathy, and extreme Mortification, at that Apathy which has so strongly Marked our Character under the administration of the Government of the United States — Repeated Murders, (or I am misinformed) have passed unnoticed— though attended by Circumstances of high aggravation.

A recent and most abominable Transaction, I pray you, and through you, the Justices Generally may be followed by such

[1] This letter was omitted in its proper place.

legal proceeding, as is commonly had in like Cases, in most Civilized Countries,— The affair I allude to has happened upon, or near second Creek, where some persons of the Names of Carter and Tomlinson, usurping "Vi et armis" to determine Questions properly the Province of Courts of Justice, and amply Provided for by Law, have it is said, given and received Wounds, from which Death or Deaths may ensue.

Shall we not have your presence at the next Court? I hope we shall.

The anxiety of Judge Bruin to Return home and the hope of Materially benefitting a part of the Territory, by providing to Commence Judicial proceeding under the Example of one of the Supreme Judges, have induced my assent to Judge Tilton's going to Tombeckbee, to hold a Court in the County of Washington, and of course Legislating is suspended—

We have passed but a few Laws— To add and amend a *little* the Militia System, one other Law in aid of Indian and Slave Regulations— Extending Prison limits &c &c. five only, which you shall have as early as possible.

With Respectful Esteem
I am Dear Sir,
your obedient humble
servant
(signed) Winthrop Sargent

P. S. Mrs Sargent and myself are honoured and well pleased by your very obliging manner of expressing Mrs Clark's and your own Remembrance of us— we offer you very sincerely our regards and good Wishes— we continue to Regret, and very much your absence, but trust you will Visit us soon— come up to Court, and bring Mrs Clark as far as Bellemont where we will be on the Morrow pleas God, and where we shall be happy to give you one of the best Rooms that our Cottage affords

(Signed) W— Sargent

Colo. Daniel Clark

Commission to Justices of the Peace.

Mississippi Territory July 2d. 1800

His Excellency the Governour was pleased to appoint George Cochran and Anthony Hoggett Esquires Justices of the Peace in the County of Adams, to whom he granted Commissions in the usual form dated the 2d. day of July 1800.

He was also pleased to approve of the appointment of Job Ruth Cotton and Melling Wolley— Inspectors for the Town of Natchez— John Bolls and Gerard Brandon for the Township of St. Catherines William Dunbar Esquire and Charles Sugett for the Township of Second Creek— Isaac Gaillard and Patrick Foly for the Township of Homochito Colo. Henry Hunter and Thomas Dawson for the Township of Baie Sarah, to whom he granted Commissions in the usual form dated the of June 1800—

Daniel Clark.

Bellemont Cottage July 6th.. 1800

Dear Sir

Not until this morning did I receive your favour of the 10th.. Ult:

I am truly in Sentiment and Sympathy with you, Respecting the Judges and legislation— a Number of Laws are wanted, and to legislate is yet, in my opinion, a part of the Judges Duty— I consented to an adjournment, to enable one of them, to hold the Supreme Court in Washington County, but to my extreme Mortofocation and sorrow, am informed he Embarks from Orleans *direct* for the United States—[1]

I learned with much Satisfaction soon after closing my Letter to you, that Mr. Dunbar had taken the preparatory measures to mark the high handed outrage upon Second Creek— impli-

[1] Judge Daniel Tilton.

cated as we are in *Country* Reputation and Character, we must lament however that so many, and so heinous Crimes have passed unnoticed.

I thank you for your friendly intention of noticing so generally Mr. Hunters Letters— the Progress he made at Congress I assure you astonishes me beyond Measure— it seems however that even the House Rejected the Extravigance of Members of the Committee: but Great God! what would become of us, but for our Senate— I Tremble when I think of the Advancement to precedent heretofore made in the Eastern States to depose *them* and the Executive as useless Branches of Government.

I enclose unto you all the Petitions, Reports &ca. upon Mississippi Affairs, which you will be Good Enough to Consider as Right precious and Return after you shall have perused them.

I have written *thereupon* to the Department of State, which I will intrude (*at length*) to your Perusal at Court Time, when I promise myself the Satisfaction of seeing you and Mrs. Clark at our Cottage— before inded for you will certainly be up at *the Election.*

A friend of mine writes me from Philadelphia whilst *the Business* was before Congress.

"it will end well and with your Friends do you honour— the forte "at present is to make you out an unapproachable Bashaw—"

All this to my mind is a Bagatelle but I might prove the falsehood thereof by Testimony of the most Violent of the Country— Burnetts &c. who came to me under those prejudices but were converts to Truth; as I learned from the Sheriff.

I had acquired a Character for "hauteur," austerity &ca.— it had preceded me— it was made up in an unfortunate Campaign against the Savages, where I acted as Adjutant General to an undisciplined army, from which our Country demanded services, not otherwise to be calculated upon, than by *Strict* Subordination:— the result of a Punctilious discharge of my Duty, was a

Volume of Complaint, and a World of Murmurs— Governour St. Clair sumed up the Matter as you may read at a Leizure moment if you please, and to the great Mortification of Calumniators, I obtained the full Approbation of our Country's lamented Chief, the Immortal Washington by the old and an additional appointment in the army then ordered to be raised.

I view it as a very considerable Misfortune to myself, but a much more Momentous one to the Country that we had not at Congress a Man of Truth and informed of Characters and Transactions— I shall find a way I persuade myself to wipe off the Odium which boldness of Charges has attached to me— but it has been so Considerable that some exertion on my Part is Necessary.

A Mr. Davis of Kentucky Member to Congress charges me to his Constituents for Usurpation: his manner and Matter is Ungentlemanly. He Says,

> "A Bill to authorize the Mississippi Territory to elect a Legislative of their own, and to take from their Governour the Power of dissolving and Proroguing them at pleasure has passed the house of Representatives. the numbers in this Territory did not according to the Ordinance entitle them to a Legislature; but to Curb the Usurpation of their Governour, to wit, Winthrop Sargent formerly Secretary to the Governour of the Northwestern Territory Congress are inclined to grant them this extraordinary Privelege; and much I fear this will not be sufficient to protect the people from the Insolence of this Federal Governour, as he still retains the Power of putting his Veto on all their Legislative Acts."

Mr. Davis in this Circular Letter is also abusive and full of falsehood to Mr. Adam's administration, he says— "A Navy and army have come into existence under it" unconstitutional Laws &c have been passed" and prays God he may not be reelected: I make no determination but 'tis possible I may prosecute him for a libel.

And, if there be virtue in a Grand Jury of Adams County I assure myself of a Bill against Hunter West and Others for the most unjust false and Milicious Libel that ever was uttered— Mr. Stokes the Printer though perhaps not Chargeable with a Libel has Conducted very improperly— he has as you must have

observed published Hunters Letters with an insinuation that the Governour and Judges meant to limit their Circulation &c—and when spoken to thereupon acknowledged he took his Publication from *the* Pamphlet, upon the fece of which *the intention* so plainly appears, but that he was instructed not to print that *part of it*, and by a person who promises to indemnify him; he has refused to make any apology in his paper though Acknowledges that he was sensible of his intention to deceive the Public—that an advertisement thereupon was sent him but he should not print it.

Accept the Continuation of Good wishes for Mrs. Clark and yourself from Mrs. Sargent and,

Dear Sir,
your friend and
humble servant,
(signed)
Colo. Daniel Clark Winthrop Sargent.

To John McKee.

No. 4. Bellemont near Natchez July 9th
Sir, 1800

Last Evening I received your Letters No. 1. and 2. with the Enclosure from the Commandant of Arkansa.

The measures you have already taken thereupon I should believe would be satisfactory— Even had the Thefts Stated been more recent— I know not how you would have demonstrated greater friendship or good Will— though we might wish to award to this Nation, a Degree of Justice equal to what we receive, yet in such Instances as are Stated by Captain Vilamont, were they, even for our *Own Citizens* the Process would Necessarily be very tedious— I know not of any similar Instances of application to the Spanish Government, or how such would be treated— this is a matter upon which we ought to be informed;

for it will not be insisted I believe that a Spanish Subject can *Claim* all the Priveleges enjoyed by the American Citizens under the Law to Regulate intercourse peace &c. with the Indians— Courtesy— fair words and every friendly exertion to serve them is however encumbent upon us, and in doubtful Cases to make appeal to the General Government.

We ought not to forget however that 'tis our Dúty to Conciliate the Indians by all proper means, and that they (the Choctaws) having some cause of disgust towards the United States, it behooves us to observe more than Common Delicacy towards them.

Your notice of the Indians now Visiting at Orleans is my first information thereof.— I have I think long since communicated to you the Marquis's assurances of Amity and strict compliance with the Treaty.

Bowles's [1] success at Apalachicola had been announced to me by an *American* at Orleans before the Receipt of your Favour— he tells me the Fort was well endowed, the Garrison One hundred Men, but that they made no defence and have disgraced themselves that apprehensions were entertained at Orleans for Mobille and Pensacola.

I hope it is not true that either Chickasaws or Whites have been killed in the Nation or at Cumberland— When the Story shall be correct I trust you will let me have it, with Information if any Interference of mine may be necessary or or useful, I am

I assure you
with much Esteem
Your obedient
humble servant
(signed) Winthrop Sargent

Colo. John McKee
Lower Towns

[1] William Augustus Bowles.

To John Marshall,

Private.

The Honourable General Marshall
Secretary of the Department of State.

Sir,

Common report only has as yet announced you the successor of Colo. Pickering in the Department of State—[1] to that Gentleman I was in the habit of freest Communication and detailing every matter which I believe the Interests of my Country rerequired he should know, though not always incumbent — sometimes *perhaps* Supererogatory— Under your administration I shall, in this Respect Sir, be implicitly Governed by your Opinions— It cannot be construed Flattery that I declare my full faith the *same* will be correct— the high and Continued Confidence bestowed upon you by our Government so authorizes, and Commands that I should very much honour your Character.

The Whelming Calumny *now* attaching to my humble Name, is an unfortunate Circumstance of Introduction— first Presentation, and creates a new and Pangful sorrow.— but a View of those pages "of Proceeding in the Executive Department" of Government which are in the office of State, I fondly believe will Efface the hard *impression* which my Foes, and the Foes of Order have so industriously essayed to establish— I shall be accredited in your and every Candid Mind for that honest zeal, which has its uses in Civil as well as military Life, and *which* you sir may Command, beyond my *mere* Duty, whenever Public Service shall Require it.

The main object of the present Letter Sir is to inform you of a defection of some of the Creek Indians as appears by advice to Major Minor from a Mr. Tagett—a surveyor appointed by him and Mr. Ellicott to do some Business upon "the Line"— He writes that eight hundred Indians from Tuckabachees Talisces and Seminolas (Creeks) and three Hundred and fifty Choctaw Indians from the lower Towns had Joined Bowles— that

[1] Appointed May 13, 1800.

with several Vessels which were taken at Apalachicola they were Cruising upon the Trade from Orleans, had amassed much Plunder ardent Liquors Specially, and that Colonel Hawkins had been forced to take refuge in Fort Wilkinson— Mr. Togarts (or Togett) Letter bears date June 9th. and Major Minor informs me he is a man of Truth.[1]

The motives I hope may be sufficient to apologize for this Communication *direct* to your office though the same be not in due order— I have *generally* addressed the Secretary of State relying upon his goodness to make any Informations necessary to the other Departments, and shall Continue so to do, unless you may be pleased otherwise to instruct me.

With Sentiments
of the most Respectful Consideration
I have the honour to be,
Sir,
Your obedient,
humble Servant,
(signed) Winthrop Sargent.

July 23d- 1800 Mississippi Territory—

P.S. If it be true Sir, that the Choctaw Indians have Joined Bowles to make War upon the Spaniards it is Probable I may have the fifth Article of our Treaty with Spain brought to my View— I request instruction— with not more than Eight hundred men Capable of bearing arms in the whole Government, and not more than one third of them armed, I am indeed feeble.

(Signed) Winthrop Sargent

To Zebulon Pike.

Mississippi Territory
Sir August 1st- 1800—

I acknowledge to have been favoured with your Letters of the 6th- & 20th- Ult: and Mr. Elmers Report of the 1st—

[1] For details of this episode see Pickett's "Alabama," Vol. II., page 117, who quotes Du Lac's "Voyage" and Milfort's "Sojourn."

At Mr. Gerards Solicitation I should have made no objection to the negroes having been put into his possession upon due pledge for their forth coming when demanded, but for the reference which has been made to the Cherokee Agent which renders it impolitic for me to make an interference at present.

With much Consideration & Esteem
I am Sir
your obedient
humble servant
(Signed)

Major— Pike Winthrop Sargent

To Lewis Evans,

Bellmont Plantation
August 2nd.. 1800—

Sir

Yesterday at noon I received a Certificate Signed by yourself the Coroner and Clerk Respecting the late Election, but which with the Note covering the Same, are not enough Explicit.

The Law requires the Governour to Nominate a proper Officer or Officers, to preside at, and Conduct the Elections, and to return to him the Names of the Persons who have been *duly* Elected—

The Sheriffs &c- officers of high Confidence and Trust, have been nominated— and a Return of the *duly* elected is to be made, before the Representatives can be convened—

The Acts and Ordinances of Congress in Point will be shown you by the Secretary if required and if the Construction thereof, should be doubtful in your mind, I would Recommend Application, not only to the Attorney General, but the Law Judge in the Territory, for in much of Counsel is declared safety; and

in the result will be Expected a return of such only as have been *duly* Elected, with the usual Solemnities for its Authenticity.

(Signed) Winthrop Sargent

Lewis Evans Esquire
Sheriff of Adams County—

To John Marshall.

Mississippi Territory
August 10th.. 1800—

Sir,

Upon the first of June I had the honour to address to Colo. Pickering whom I then believed the Secretary of State a Sketch of Public Buildings at the Villa Gayoso within this Territory and some Letters and Documents upon a Claim thereto which has been brought forward by a Certain Mr. Green [1] to be laid before the Attorney General.

I can have no doubt as those papers have gone forward by Express that they will arrive safe with *you*, notwithstanding their address; I will add therefore only, upon this subject, my solicitation for your obliging endeavours to obtain and forward Counsel for future Proceeding in this Business as early as Possible.

Considering sir heretofore the Secretary of State as the proper Officer for all my Communications, I have scarcely ever immediately addressed the Secretary of War *even* upon Indian Affairs, and only asked of the former to communicate as he should deem meet.

In your Office it will appear I have very abundantly dilated upon this *subject* which a *War* may soon render peculiarly *interesting* — I would cheerfully make a Summary but that my

[1] Thomas Green.

Eyes are scarcely Capacitated for Writings every Day Indispensible, and the Emoluments of my office admit not of a Clerk.

I have solicited *that* Charity for the Choctaws which was unequivocally Promised by Mr. Ellicotte as you may see sir by my Letter to Colo. Pickering July 17th- 1799— and for the non-performance of which, those men of Nature hesitate not to brand me as a Liar, almost every Time we meet— They want only Arms and Ammunition to gratify their Resentments, and Passion for Predatory War, with which I am apprehensive they will very soon be abundantly supplied by Bowles.

A small Spanish Armada sent against him from Orleans, we are informed is blockaded at Mobille by three sixteen Gun Privateers.

With the most Respectful Consideration,
I have the honor to be
Sir,
your obedient
humble servant
(Signed) Winthrop Sargent

The Honourable Secretary of State

To Samuel Dexter.[1]

Mississippi Territory
August 10th.. 1800—

Sir

Upon the first of June I had the honour to enclose unto Mr. McHenry late secretary of War a Communication from a Magistrate of this Government relative to the Choctaw Indians, and expressing myself thereupon, to which I beg leave to solicit your particular attention, as a *continued* neglect of those people I apprehend will very speedily involve us in a War, expensive to the United States and Ruinous to this Territory; very much

[1] Appointed to succeed James McHenry May 13, 1800.

seems to have been promised unto them by Mr. Ellicott when opening his Commission in this Country, and nothing that I know of has yet been performed.— The late Secretary of State Communicated unto me as an Intention of Mr. McHenry to make an annual Allowance of Two Thousand Dollars, which if carried into Effect, would be too small to produce any Good.

I have been in the habit Sir, of making almost all my Communications, even upon Indian affairs to the Secretary of State having never been otherwise instructed by the War Department to which I had more than once applied for Information. Will you Sir be pleased to advise me— I beg leave to refer you sir for Proof that we stand Pledged in some measure to be *Charitable* to the Choctaw Indians to my Letter to the Secretary of State bearing Date July 17th.. 1799.

Upon the 14th of May I addressed Mr. McHenry upon the subject of an Indian Interpreter, as well as a suit that had been commenced against me, and upon which you are so Eminently Capable to advise— Major Minor who has arrived here highly disapproves his Brothers proceeding & assures me he shall give orders to withdraw the Action; nevertheless Sir, I solicit your Opinion, and Instruction as to the Compensation I may be permitted to make him for his Slave whilst he was acting as Interpreter.

Be pleased sir also to authorize me to take another Interpreter.

With most Respectful Consideration,
I have the honour to be,
Sir,
your obedient
Humble servant,
(signed) Winthrop Sargent.

The honourable
Mr. Samuel Dexter
Secretary of War—

To Lewis Evans.

The Governour Requests of the Sheriff to cause the enclosed Extract from the "Law for the Regulation of Slaves" to be made Public by putting the same up at the Doors of Taverns, and other Conspicuous places, as many Complaints have been made unto him, of the Violation thereof by Strangers and others, who may be Ignorant of the Law.

August 12th— 1799

Lewis Evans Sheriff of Adams County—

Commission of Justices of the Peace.

His Excellency the Governour for good reasons appearing to him, was pleased to add to the number of Justices in the Court of Common Pleas in the County of Pickering, and accordingly inserted in the existing Commission the Names of John Hinds and Mordecai Throckmorton Esquires— done at Bellemont on the 19th.. of August 1800—

To John Marshall.[1]

No. 36. Mississippi Territory
August 25th- 1800.

Sir,

In consequence of Proceedings in the House of National Representatives, tending to implicate the Governour and Judges of this Territory *unofficially* communicated from the Department of State, I took leave to address the then Secretary in a long Letter bearing date the 15th.. of June; to Exculpate to defend and Justify our aspersed Conduct.

[1] This letter appears at pages 36-45 of "Papers in Relation to the Official Conduct of Gov. Sargent."

Since that Period there has come to my View through the Medium of the Public Prints a Resolution of the House of Representatives for disapproving so much of Two of our Laws as authorized certain Fees to myself and their honours— With notice that the Consideration thereof had been postponed by the Wisdom and Justice of the Honourable Senate.

In a Public paper Styled the true American and Printed at Philadelphia upon the 15th of May, we observe an Extraordinary Motion, and a more extraordinary Preamble, to have made on the Preceding Day, by the Honourable Mr. T. T. Davis, and *such* as the most Rigid Justice should not have dictated, but upon fullest Proof of Foulest Deeds;— To the distinguished Sympathies and Candour of Messieurs Harper, Craik, Nott, and Griswold,[1] we stand indebted for reminding Gentlemen, that "the accused had no opportunity of answering to the very serious Charges Contained in the Honourable Mr. Davis's Preamble— that if the Censure was Just, Impeachment *ought* to be obtained by other means"— *more* equitable—*more* ingenuous, and less *dishonourable*, they might, well have added.

And for impeachment, conscious we have discharged our Duties, according to honour and to conscience we stand prepared— P e r s u a d e d always that the Tenure of Public Commissions under the American Government, rests *not* upon their Forfeiture.

Whether we may be indulged with the Privelege of being heard is *yet* a Question— Upon most of the Allegations, so Odiously blazoned in the Preamble of the Honourable Mr Davis I have I fondly trust so fully expressed myself as at *least* at suspend Sentence of Public Condemnation— and ere another session of Congress, Gentlemen who may *seek* Truth, S h a l l find fullest Conviction, that we hve been most barbarously abused and Vilified— For my own Part I have already thrown

[1] Robert Goodloe Harper, of South Carolina; William Craik, of Maryland; Abraham Nott, of Connecticut; Roger Griswold, of Connecticut, members of Congress.

the Gauntlet— and defy the most insidious, as well as active Malice to establish.

That I have "acted under the Influence of a Faction or pur- "sued the Principles of Despotism in excluding from my Confi- "dence a Majority of the well disposed Citizens."

Or that I have "indulged an unwarrantable distrust of the "great Body of this People, and appointed over them to offices "Civil and Military, p e r s o n s obnoxious for their intrigues and "Foreign Influence."

I deny that I have "practiced an avarice,— Extortion or "any oppressive Measure," as has been ascribed to me by the honourable Mr. Davis; Fees Warranted by a Law— Predicated upon long continued Practice of the Northwestern Territory, and which had Received the Approbation of Congress, we have sometimes demanded— with this very essential difference however, and as is in some measure Stated in my last letter, *that there* the Governour and Judges have actually Exacted Fees for services expressly required by the Ordinance under which they were appointed, Whilst in this Territory (as it respects myself this is most Confidently asserted) *they* have been received for such only as seemed Extra:

Judges in the Northwestern Territory are allowed by Law a Reembursement of all expenses of themselves and servants in going the Circuits to hold the Courts:— They have also fees for allowing Writs of Error—Supersedeas for taking Bail, filing bail pieces, and all the &cs. for which the honourable Mr. Davis has so zealously essayed to attach Odium to the Judicial Character within this Government— The honourable Congress could not have been uninformed thereof, for the Laws and records in Point had been officially transmitted by myself as Secretary- Consequently long ere the Practice of Exacting fees could have been adopted into the United States, Mississippi Territory

Granting then Sir for a moment the Exacting of Fees to be wrong, should not Manly Candour have dictated that the Example of an older Colony— so long and so strongly sanctioned by

the very highest Authority, we under God can know, might in Justice have been accepted as apology, and we humanely spared the cruel Mortification of suffering the *hard* the intemperate Language with which we have been assailed, in the Face of Congress, our Friends, and the World!

The Privelege of Gentlemen tolerating full freedom of speech does not Warrant Indecorum, nor can any Power, I humbly conceive command my tacit acknowledgement of the "avarice and Extortion" ascribed to me by the Honourable Kentucky Member.

Though Constrained always to Rigid Economy by the *hard* service of my Country, I acknowledge *not* to have "Practiced avarice or Extortion."

A soldier of the Revolutionary War, I retired not from the Field till the close thereof— and it may be remembered by some of the Veteran Comrades in those Days, of Peril— and who have witnessed the Whelming Calumny so unjustifiably *attached* to my humble name, that Bread and Fame were our *Sole* Reward—

In Civil Life,— of the Ten Years that the Government of the Northwestern Territory had been established, ere I was *commanded* to this Country, the Arduous and Complicated Duties of Governour and Secretary, with the accumulated Expenses of both Offices were mine to Discharge— and without further Public Provision than the Small Stipend allowed the Secretary.

By Statements made to the honourable Congress in 1796 for a Compensation which is yet withheld, it will appear that my Expenses were necessarily very Considerable— the Salary small and that there were none of the Operating Motives for a avaritious Man to have Continued in Office;— that Reputation — a good name must have been the Grand Decideratum: Offices in your Western Country, were long acknowledgedly the Posts of Danger— *hence* perhaps their Tenure undisturbed, but Gentlemen read in the History of the Sufferings and Peril of those Days; a just and grateful Country cannot *hastily* Prostrate, servants grown gray in Hardihood and Toil.

The Honourable Mr. Davis seems to have been at much Trouble to establish what the Governour and Judges are very willing to admit.

"That they have made Laws"—

As secretary of the Northwestern Territory and vested with the Powers of the Governour, I fully Concurred with the Judges, that we were a Complete Legislative Body— We never hesitated to manifest *this* to Congress, and the Laws by Governour St. Clair, the Judges Parsons, Symmes, and Varnum Enacted— as early as 1788 demonastrated that such was their Opinion also; but I solemnly deny to have acknowledged (as Mr. Davis asserts I have) a Deviation from the Ordinance of Congress in the *thus* enacting of Laws— for the Ordinance in my Acceptance thereof, tolerates so doing; in Strong Presumptive Proof of which, I shall offer (as the Honourable Mr. Davis and myself seem to have so differently read the same) that the Laws which were Regularly transmitted to the General Government, in one solitary Instance only were ever disapproved, thus Evidencing their perfect Coincidence in Sentiment with us upon this very important subject:

As a further proof of their will and pleasure that we should "M a k e L a w s" they have enacted nearly in Words following.

"That the Laws of the Territory that have been, or hereafter may be "enacted by the Governour and Judges &c"

And again

"That the Governour and Judges shall be authorized to repeal their Laws "by them made whenever the same may be found to be Improper."

Whence we certainly take Leave to infer our most incontestible Right to the very essential and salutary Measure of Enacting as well as adopting Laws for common Good— And further that we shall stand exonerated in the Minds of the Virtuous and the Wise. from *even* the intention of exercising that

"most dangerous assumption of Power," so unadvisedly ascribed to us by the Honourable Kentucky Member.

Amongst the Rolls in the office of the Territorial Secretary we are ingenuously to acknowledge a Law for the Punishment of Arson, that seems to have escaped the Watchful Eye of the honourable Mr. Davis, and *which* together with the Statute against Treason are in our view alike exceptionable— no legal decision or Proceedings however have been had thereupon, nor will the Judges, I persuade myself, ever designedly transgress the Sacred Rules of our most Respected Constitution— but so much has already been said upon this unpleasant Theme— without anticipating Opprobrious misconception of our intentions, and which appears in my address to the Legislature of the 5th— of May, in your office, that no more explanation or Comment can be now necessary.— In any formal Investigation, I hope to demonstrate, that the original of the Laws (our great anxiety to disseminate, hastily sent to the Printer) was unexceptionable *in Matter*, but that we have been inadvertent in our Signature to the Rolls, can not be denied; an act Acknowledgedly hostile to the Constitution, though we have the Consolation to believe it has Operated no Evil— For my own part however I claim not Indulgence in Official Transactions, and will await in Respectful Submission, such Censure as may be deemed proportionate to the Magnitude of my Transgression— but when it shall be mercifully Considered that the Law for the Punishment of Arson in the Northwestern Territory — subject to the same Constitutional objections with any of the Statutes of this Government, had been Ten Years before Congress at the Time we adopted it, (and never disapproved) it *must* be received as an Extenuation of our Crime.

There has been transmitted to the Department of State, the Copy of an appeal to the Justices of Adams County— made immediately upon my receiving the "R e p o r t s" of the Committee of Congress, to whom had been referred, the Petition of Cato West, and certain Letters of Narsworthy Hunter.—

The only matter therein which I then deemed of Consequence enough to engage my special attention— and Publicly demonstrate to be *false*, was Mr. Hunter's so Positive Declaration of my usurping the Powers of the Court (their Duty to hold Sacred) and with most nefarious and dishonourable Intention.

My appeal is annexed to the Letter of the 15th- of June before mentioned, but it was not until the 4th- Instant, that the Justices were in session, which necessarily delayed *their* Response herewith transmitted, and which I respectfully solicit may accompany the Petitions of "Cato West and others" as the natural and Legitimate "Relative of those Documents" which the honourable Mr. Davis has proposed to lay before the President:—

Under any other Circumstances than a base Impeachment of almost all the Territorial Officers I could not myself announce to Congress that the "accredited agent of those Persons, styling themselves a Committee regularly Chosen by the Inhabitants of the Mississippi Territory &ca- S t a n d s convicted to every man of *Mind*, of Malice, Mischief and Falsehood— and if words have meaning, that he is recorded in the honourable Court of General Quarter Sessions of the Peace of Adams County in their August Term— to the Present People and Posterity as a most infamous L i a r.

The Character of the Members of this Court Generally is, I believe, less exceptionable than that of any other equal Number of Men within the Government, but *they* are sufficiently known to reject or Confirm my Estimation by the most abundant Testimony. The Presiding Justice [1] is Respectable from Integrity, science and Wealth, with very Conciliating manners and an Independence of sentiment most happily adapted, to his Public Station

I shall take leave to enclose unto you his Charge to the Grand Jury in the same August Term— adding my request that it may be brought to the View of Government to illustrate the Reputation of accusers and accused— and for other purposes important

[1] William Dunbar.

to this Territory, whenever Proceeding shall be Continued under the Petition of Mr. West and Committee.— The name of Mr. Hugh Davis— in the List of Magistrates, will also be found in the Mississippi Committee— *this* and the Character which I have drawn of the former may seem incompatible— The Motives for my own appointments I can explain, but not always the Conduct of Officers—

This Mr. Davis is the same Gentleman I have quoted in my address of the 15th— of June as the "well meaning Member of the Committee", "obtaining a Copy of a Letter of the 20th.. of December 1798 to the Secretary of State", and which he believed to have been by them most basely perverted:— He has since communicated to me that the Representations made in that Letter of the sufferings of the Inhabitants from the Indians under Spanish and American Governments *then* Complained of by almost every man of my knowledge, and late presented as a Grievance by the Grand Inquest, would have been stated to the General Government at that Time, as a Wicked and abominable Falsehood of the Governour and that neither injury or inconvenience from the Indians had ever been Experienced by this People— *but* for his special Opposition to the Measure made under the fullest impression of the Justice and propriety of my Statemens, and which the Committee had been Constrained Reluctantly to acknowledge— Facts produced to *them* by Mr. Davis had been too strong, and of too much Publicity to have escaped the Notice of many of the Members, and must induce a Powerful Presumption of *more* than want of Candour upon the Occasion.

The Clerk— Sheriff and one of the Judges have transmitted to me some Documents Relative to the alarming Depopulation *said* by Mr. Hunter to have taken place under Doctor White— the site of the Public Buildings, "so marked by opposition to General Opinion" and other Matter— all which I take leave to submit as proper to be brought forward in future attention to the Motion and Preamble of the honourable Kentucky Member.

My respected Friend Colo. Clark[1] deceased— whose Eulogium and Worth have been so long and so well Established, and whose

[1] Daniel Clark.

situation, as Commanding the Militia and Presiding in the Courts of Justice, rendered him more and better Conversant in the Administration of the Government than almost any other man within the Territory, (sensibly impressed by the Insults and Injury offered to the Governour and the Country) D e v o t e d the last moments of a Life passed in honour, to the bearing strong Testimony against that Obloquy and Odium which *had* been Produced by the unprincipled Clamours of Malevolence.

Mr. Daniel Clark a Citizen of the Territory— Nephew to the Colonel, and inheriting his Valuable Possessions in this Country— a Gentleman long know and respected for his spirited and successful exertions in Favour of our oppressed Countrymen at Orleans, has obligingly Committed to me his Uncles Sentiments addressed, and intended to have been directly Communicated it seeme, to the honourable

Mr. W. C. C. Claibourne of Congress: [1]

Testimony from Characters so Endowed, as to Command universal Credibility, and so honourable to the administration of this Government, I shall certainly avail myself of.— The Letter therefore from Colonel Clark to Mr. Claiborne and one from his Nephew, (in Connexion) I respectfully solicit may be Considered by the honourable Mr. Davis as true "relative Documents" to the Petition of Cato West, and transmitted to the President or otherwise, as shall be decreed for his so Censorous motion and Preamble.

The same reasons Sir which induced my last long Letter, have made me at this Time thus immeasurably Prolix, and I have again to Pray your enduring patience.

Once I would have deemed it an undue Condescension to have brought forward Voucher or Collateral aid against more Respectable Men than any enrolled in the List of those who are Warring upon my Fame;— My own Declaration I should have believed Enough under any Circumstances but formal Impeach-

[1] This letter appears at pages 20-31 of "Papers in Relation to the Official Conduct of Gov. Sargent.

ment— Wary however, and apprehensive from late Sufferings and Persecution I would Guard against Wiles, wickedness and Surprize: The Precedent of Censure and other uncommon Proceeding upon "ex parte" Evidence and statement demand on our part more than Ordinary Circumspection.

The attentions which have been bestowed upon the Representations of the Smallest and the least Respectable part of this Community, I will Venture to say, has excited Astonishment in the mind of almost every man within the Mississippi Territory. That Mr. West and signers of the Petition to Congress were not even a Moity of the Committee[1]— pretended to have been duly Elected, is well known to themselves and no secret within the Government.

The Circular Letter which Mr. Hunter states to Congress as originating this Body was an Indecorous Publication, dated upon the 6th.. of July 1799 requesting meetings of the Inhabitants in the several Districts to elect Members for a General Convention—this Letter to use the Language of Respectable Characters amongst us "was evidently intended to have been Communicated "to those only who had been loud in Disaffection to the Govern- "ernment: "

"not genaral" but to be whispered to a few Individuals "only."

If the whole people of the Mississippi Territory could have been assembled, or a due proportion of Character only, the late Proceeding of Cato West &ca- would probably have been discountenanced in all its parts— *this* is not mere matter of opinion, for in the January of 1799 the same was demonstrated by Analoy (Analogy).

In a Committee who then Petitioned Congress upon the subject of their Lands, were some of the leading Characters of Mr. Wests party— assembled with the same Views, which they have of late accomplished, but the Members, who generally had been

[1] The original committee consisted of thirty-five members, fifteen of whom signed the West petition.

Elected upon *fair* and honest Principles— that is after due and diffused Notice— *Whose* names are with Congress, and who probably were a Representation of the Will of the Majority, C U R B E D, with strong hand, the spirit of Faction and Intrigue.

Fourteen days only elapsed from the Notice contained in the Letter before mentioned to the Time apopinted for holding the Election,— a short Period indeed considering the extent of our Country and the dispersed state of its Inhabitants: many respectable persons, indeed whole settlements (Tensaw and Tombeckbee—Now Washington County) not included) were without notice upon this important Occasion; nor can I learn, that in any one of the Districts, there was an Assembly sufficient for much less interesting purposes than Constituting Delegates to a General Convention.

In the Town of Natchez, which Comprehends an important part of Respectable population, forty persons only assembled— a Moity of them are Represented destitute of all Visible Property— People of *any* Country, but never Acknowledged to have been enrolled within this Territory— They chose two Delegates— In the Certificate of the Election however, the Qualifications of the Electors, are *Candidly* stated to have been Problematical.

One of those Delegates it is said never attended the Committee, and that the other, after in Vain Combating the Violence of Proceedings withdrew himself altogether. This is certain, that neither of their names are found affixed to the Representations which have been Published from this Committee.

By unquestionable Authority I am informed, that the Principal Inhabitants of the Settlements of Big Black and Bayou Pierre in the upper County, were without Notice of the District meetings, and that out of one hundred and forty free Male Inhabitants, who should have Voted for Delegates to this Committee, twenty only attended— that their most Weak and most Abandoned Characters were Elected— amongst whom was one

Robert Ashley said to have fled from the Justice of some of the Southern States, and who has been indicted within the Mississippi Territory for horse stealing.

All this, and much more Anecdote as well as Public history of (and in relation to) Mr. Wests Committee was Known to the Reputable Citizens of the Mississippi Territory A N D the nautural Inference.

> "so just, so wise, and so Wary a Body as Congress will not
> "Act upon such irregular—such Partial Proceeding"

was the general sentiment— the general Expression of the most worthy Characters amongst us.

Experience however has shown us, that conclusions founded upon the Intelligence of man are too often fallacious.

Abstract of all Consideration merely Personal I must sir continue to View it as a very great Misfortune that O N E P A R T Y only should have been heard upon Decisions so Momentous to us all:

Information might have been had from sources disinterested, impartial and of Confidence— Less intrusion and importunity upon the important Time of Congress (for the past —present, and to come) with more Tranquility to this restiff Country would probably have been the happy Consequence:

General Wilkinson it is believed was at Philadelphia in Time to have met Enquiry— as an officer of Rank and Confidence, he was worthy to have been Consulted— he had spoke and written honourably of the Administration of this Government within my knowledge— he is conversant with men whom the people ought to have respected, and a few of whose names are enrolled amongst our accusers— his Testimony must have been favourable to the Mississippi Territorial Officers.

He could have informed Congress that we are unprepared for any accumulation of Expense.—that the Statement of Mr. Hunter of the Wealth and numbers in this Government is exaggerated— that we were so involved in debts as to have rendered

interposition of the Spanish Government between us and Bankruptcy absolutely indespensable— a n d that in Pickering County *where* discontent with present administration had originated, there were not Enough of *informed* men to fill the present necessary offices of Government;— it is my Duty however to endeavour to Conciliate *all* this people to the Change which has been *Commanded* and I shall most religiously preform it.—

With the sensibilities of a man wounded in his better— his immortal part— R E P U T A T I O N, I have Sir written *much*, but I feel much more:— assailed Violently by a party in this Country, from Motives *probably* most impure— and in manner and Language, which I persuade myself no Gentleman shall ever cease to abhor, *some* unbecoming Warmth of Expression *some* undue Consideration of Self may have escaped me, *but* that no Indecorum to Characters in that honourable house, so much my Duty to Respect m a y be found on *those*, or any of my future pages is the Object of my most devout Prayers.

The honourable Mr. T. T. Davis of Kentucky, *seems* to the Governour and Judges of the Mississippi Territory, to have been unnecessarily *severe*— Towards the former he has practiced most wanton and Unwarrantable Cruelty:—

He has given Publicity to one of his Letters *seemingly* in*tended only* for his Constituents, but which has Circulated in the Northwestern Territory *where* my very interesting Concerns — *Where* almost all my Pecuniary affairs are afloat, Calculated *evidently* to impress the People with such Sentiments as may do me irreparable Injury.

He has added Insult to Injury by addressing to me *Directly* a Copy of this Letter, from which the following is a Verbatim Excript.

"A Bill to authorize the Mississippi Territory to elect a Legislature of "their own; and to take from their Governour the Power of dissolving and "Proroguing them at pleasure, has passed the house of Representatives. "The numbers in this Territory did not, according to the Ordinance, entitle "them to a Legislature; but to curb the usurpation of their Governour, to "wit: Winthrop Sargent, formerly secretary to the Governour of the North-

"western Territory Congress are inclined to grant them this Extraordinary "Privelege; and much I fear this will not be sufficient to protect the People "from the Insolence of this Federal Governour, as he still retains the Power "of putting his Veto on all their Legislative Acts."

I will conclude this long Epistle sir, in the words of a very Celebrated Poet.

"durum; sed levius fit Patientia
"quicquid corrigere est nefas"

and subscribe myself with every sentiment of most Respectful Consideration your obedient, and Government's faithful and

Zealous Servant
(Signed) Winthrop Sargent

The Honourable Secretary of State.

To John McKee.

No. 5 Mississippi Territory—
September 1st- 1800

Sir,

I received your Letters Numbered 3. 4 &. 5 the day before Yesterday, and have detained the Express to the Present moment in the hopes of seeing Major Pike, who alone Could Comply with Mr. Pantons Wish for a Loan of Ammunition— over *it* you know I have no Controul, but from this Gentlemans so well known, and so much esteemed Character, I am anxious he should be Gratified, and will speak to the Major in an opportunity I expect to present in a Day or two, and give you notice by the first Conveyance— Your Express seems so anxious to Return, I venture not to delay him longer— It may not be amiss to observe, that it seems to me only amongst the Possibilities that Mr. Panton will be supplied from our Magazines— Latitude to the Commandants is very seldom sufficient to admit such Indulgence,

The Commandant of Arkansa I hesitate not to say should seek his Information from another Quarter

The apparent pacific Disposition of the Choctaw Nation is pleasing to me— I have already addressed the now Secretary of War to enable me to keep them in Good humour, God only knows how far I may be successful.

I am inclined to believe from some recent Information that the Spaniards made them no Presents in their last Visit

I do not at present engage an Interpreter but shall delay the same till I hear from the War Office upon that and some matters connected therewith— Will you give me the Character of the Man you mention, together with his Expectations

Adieu,

and believe me with much
esteem, Sir your very humble servant
(Signed) Winthrop Sargent

Colo. John McKee.

To John Marshall.

No. 37. Mississippi Territory
September 5th— 1800

Anxious Sir in the extreme to preserve a good name *which* in a Service of much Toil and no inconsiderable share of Peril I had essayed to attain, I have presumed to address two long Letters, bearing date June the 15th and August the 25th. to the Department of State— to illustrate Public Transactions as well as the proceedings of some of this people, and avert the CURSE of Infamy which *seemed* indelibly attaching to my Official Character: Copies of those Letters have been transmitted to my most Respected President, and I can nothing doubt a Conclusion honourable to myself and the Judges, from the due impression upon his and your mind.

Justice will mercifully ordain that *they* be submitted to the Senate— to continue our *Political* existence and, what is of in-

finitely dearer Consideration in my mind, the good opinion of Individuals in that honourable Body, to whose Wisdom and Virtues I render the Tribute of Reverence and Admiration.— But when I *feelingly* Consider sir the Publicity of evil Report; *that* an Indictment has been preferred against me before the first Tribunal upon Earth— for Matter enough to anathematize me in the minds of the great and the Good; and that the *same* may not be *traversed* — a tacit acquittal is not sufficient.

To Friends of Sensibility— Connexions of acknowledged Worth— to an August Executive whose Confidence we have enjoyed, we owe a Public Explanation.

For an offspring in whom we are to be perpetuated, and to *whom* we had Proudly Calculated upon handing down a Reputation undefiled, we must *take care* that the sons shall not blush because their Fathers have been defamed. Tis therefore I most Respectfully solicit, *that* to the Volume of Accusation, and proceedings of the honourable house of Representatives (criminating the Governour and Judges of this Territory) and printed by O R D E R, my Letters of Illustration may Ingenuously be added.

We have been humiliated before our Friends and the world, in Publications, uttered under an Authority we are bound to Respect, and diffused to the remotest parts of the Union— To the Equity of the same source therefore, we appeal for the Requested mode of Exoneration.

If however in this seemingly Rational solicitation we are not to be Indulged, the Gentleman who obligingly takes Charge of my Letter of the 25th.. Ult. and its accompaniments, will ask from you, a Copy threof, and that of the 15th. of June also for the Press— P r o v i d e d my Printing the same for Information of Gentlemen of Congress and my Friends shall not to you seem improper.

With every sentiment
of the most unfeigned Respect
I have the honour to be, Sir,
your obedient Humble servant
signed Winthrop Sargent

By Winthrop Sargent:

GOVERNOUR

of the

Mississippi Territory,

In obedience to the Will of the General Government, expressed in the supplemental Act for the Government of the Mississippi Territory, it is incumbent on me to direct that,

Messieurs Cato West, Thomas M Green, John Burnet, Thomas Calvet, Henry Hunter, and James Hoggett, who have been returned as Representatives duly elected, should Convene upon the fourth Monday of the present Month, 9 o'clock A.M. at the Government House in the Town of Natchez.

No return has yet been received from the County of Washington, and in Adams County, only two Members are returned *duly* elected, tho' Messieurs Sutton Banks, Anthony Hutchins, William Conner, Abner L. Duncan, and William Dunbar Esquire, have their names inserted in the Return (some of them, with a Considerable plurality of Votes) and are in Consequence invited to assemble also at the time and place which has been appointed for the meeting of the Representatives, when the said return will be submitted to the View of Gentlemen who may be concerned therein.

Given near Natchez
September 10th— 1800
(Signed) Winthrop Sargent

John Steele Secretary

Address by Gov. Sargent.[1]

The Persons Elected Representatives under his Excellency the Governour's Proclamation of the 24th— of June having assem-

[1] First address or message to the General Assembly of Mississippi Territory.

bled at the Government House in the Town of Natchez agreeably to his Notice of the 10th.. of September, were met by him, when he was pleased to deliver to them, an address in the Words following Viz—

Gentlemen,

By the return of the Sheriff of Pickering County, it has appeared that,

Messieurs Cato West,
Thomas M. Green,
John Burnet, and ..
Thomas Calvet,

have been duly Elected the Representatives of Pickering County.

The Sheriff of Adams County diffident of his Powers under the Acts directing and Regulating the Elections within this Territory— and *which* appear to have been very Variously Construed within the same, is so indecisive in his Return, that I adventure not to announce to you the Members of this County—

I shall however cause his Return to be laid before you.

In Washington County there has been no Election:— the short Time permitted to forward on the Proclamation, for the purpose was used to all possible Advantage, but some unforeseen Casualty to the Land Express prevented the arrival timously for a general Notification to the Inhabitants to assemble, upon the Day which had been Ordained by Law.

Water Conveyance, *then* more than commonly precarious has been also unpropitious.

I regret very much Gentlemen a Disappointment which may possibly delay, or (what is still more unpleasant to Consider) embarrass any immediate proceeding in the important Nomination to Congress— for even though all the obstacles arising *merely* from the want of a sufficient Return of the Sheriff of Adams County *might* be removed, *yet* you Gentlemen probably would be extreme cautious of proceeding to Measures which may lead to very interesting and permanent appointments within this Territory *whilst* a County (which there is very little Doubt will

be entitled to two Members in this House) shall remain totally unrepresented:

Mistake not however Gentlemen those well meant Observations— and so naturally pertinent to this Occasion, for Obtrusive Counsel.

I am too much, and too importantly impressed by a sense of due deference for appropriate prerogative, and Respect for that important Character which you are now about to assume to intrude either advice or Information:

To facilitate however the Operation of the Supplemental act for the Government of the Mississippi Territory— as Magistrate and Citizen, I offer myself most cordially to your service;

in the former Character, as an official Duty it is sacred and indispensable: as a Citizen and Inhabitant of the Mississippi Territory no one can be more interested in its General Welfare and Prosperity:

My Fortunes are inseparably blended with your own; Upon the Public Weal depends the well being of myself and Family permanently established within the Government.

That the most abundant Increase of Good therefore— and full Contentment (the Rational Consequence thereof) shall succeed to the Change of Government we Contemplate;— that it may be attended with *more* and greater Blessings than Warmest Imagination can have portrayed is my sincere Prayer.

but I will not further adventure the Imputation of Trespassing upon your important Time— or unnecessarily to arrest your attention—

The Pressure of private concerns and avocations— so very interesting at this season, must render you specially anxious to enter upon your own immediate Duties and impatient of delay.

To have Convened you Gentlemen, and formally Communicated the *due* Notice of Election in the several Counties;

To have offered the Laws of the United States, applying to the purposes for which you are at this Time assembled —and which will now be laid before you C o n s t i t u t e, I believe,

the Total of Executive Duties in the present Relation of the Governour to this Honourable House.

So far Gentlemen as I have exceeded *those* limits you will be pleased to ascribe to my zeal in service— to my strong anxieties that our Proceeding upon the present and indeed every Occasion should *seem* to the General Government to have been perfectly correct.

The failure of the Election in the County of Washington, and the Insufficiency of the Return from Adams County to complete the number of Representatives which had been Ordained—together with such of your Proceeding as you may do me the honour of communicating, I shall take the earliest opportunity to transmit to the Department of State, for the Information of the General Government

(Signed)
Winthrop Sargent

Mississippi Territory Adams County and
Town of Natchez 22d— September 1800—

Oath of Office.

You and each of you solemnly swear, that you will be faithful and true to the Mississippi Territory, so long as you continue Citizens thereof and that you will faithfully execute to the best of your abilities the office of Legislators.

At Request of Messieurs Cato West, Thomas M. Green, John Burnet, Thomas Calvet, Henry Hunter, and James Hogget, I have this 22d. day of September, attended at Government House, and administered unto them the above Oath.— Anno Domini 1800—

(signed) Winthrop Sargent.
Governour Mississippi Territory

To Samuel Dexter.

Mississippi Territory
October the 1st- 1800

Sir,

My communications *even* upon Indian affairs though more properly perhaps appertaining to the Department of War have generally sir, been addressed to the secretary of State, with request for their communication as might be proper.— *They* have been Voluminous, and contain notice of the urgency of the Choctaw Indians for charity— *their* high expectations founded upon Letters of the American Commissioner, Mr. Ellicott— *their* chagrin, and my apprehensions from their Disappointment—*that* our Planters, subjected to long continued suffering from the Devastations of the Indians Visiting in the Character of Friends, would resist with violence the enormous reiterated Demands upon their property, and make of them open and avowed Enemies.

I have presumed to advise, that certain Stipulations should be entered into— that some annual allowance should be made them, either in consideration for Lands, or as charity, and in fulfilment of the promises which Mr- Ellicott had made.

I have pointed out some of the Inconveniences— the Misfortunes which may accrue from the System of Indian Regulation in the Southern Department.

That the Governour being the Lawful superintendent, in Virtue of his (Controuling) Powers *may* thwart the best dispositions of Colo. Hawkins— that the acts of the United States which had taken away his Supremacy as principal Indian Agent, in the event might deprive Government of the services of a most Respected Character, and eminently Calculated for his situation amongst the Creeks— that legislative interposition seemed to me essential to Continue him, and prevent the clashing between us.

Colo. Hawkins Communicates with the Choctaw Indians entirely independent of the Governour of this Territory— He has

the Power I believe to Constitute agents under him who have not the obligation to Report unto me, as has been ordered for the Gentlemen appointed by the President to the Choctaw Nation, and with all the Responsibility of superintendent "ex officio" of the whole southern Tribes.

I may not only be uninformed of the affairs of distant Indians, of Consequence for me to know, but of the Choctaws also, and in matters highly important to the safety and welfare of the Territory— Colo- Hawkins nor the agent with the Chickasaws, or Cherokees— or a Mr. Mitchell appointed I believe by the Colonel and itinerant (it seems) report unto me, though the Indians with whom they are Resident, are not unfrequently stirring up sedition among the Choctaws.— Application has lately been made unto me for the Recovery of some Negroes, plundered a few years since and taking refuge with the Garrison at the Chickasaw Bluffs[1]— They were claimed by the Cherokee Indians — the matter laid before me by the Commandant of the Regular Troops within this Territory for adjudication, and about the same Time Submitted by the officer at the Bluffs to an agent with the Cherokees —I had *only* Time to suspend a decree which I had then thought proper, and which I embraced to prevent unfavourable impression upon a people apt enough at finding out the imperfections of a System which has full oft I believe subjected them as well as the United States to Imposition.

I had flattered myself in Consequence of some Communications long since received from the General Government, that this subject would have received the due attention— Hope is revived Sir, under your administration, and I trust that to the Responsibility of Superintendent if Continued to be attached to the Office of Governour the necessary accompaniments will be added.

Policy seems to dictate that the Officer who should preserve an Influence in Peace and War over the Indians should be Considered by them as the Fountain of all their Good, or at least

[1] Present site of Memphis.

the Channel through which Charity, the Donations of Government are to flow— but the reverse of this has been Observed— Subaltern— Noncommissioned Military Officers— in some instances, who were here to day and gone to morrow, whose Influence with Indians could nought avail Government have been supplied with the means of feeding and clothing them, whilst the legal Superintendent could not command for them a single Ration— That practice however it appears has of late been restrained, but some *PRESENTS,* I am informed are now ordered immediately to the Choctaw Indians to the disposal of the Agent, of *which* it seems to me, I should have been advised from the proper Department —Indeed sir I presume to believe that all affairs whatever of the Indians over whom I am to retain a Superintendency, should be managed through me, for otherwise in Justice, I ought not to be Responsible.—

Agents though appointed by the President, under particular Circumstances, perhaps might be suspended by the Superintendent— our Distance from the seat of Government the Reason— I have had Occasion formerly to Complain of *one* for aiding an offender to escape from the Justice of this Territory.

The motive for this Address being the Public Weal, I assure myself you will pardon my so long engaging your attention,

I have the honour to be sir,
most Respectfully,
your obedient, humble servant,
(signed) Winthrop Sargent.

The Honourable Secretary of War

To the Speaker of the House of Representatives.

Cottage Bellemont Plantation
Morning of October 3d— 1800

Sir,

I acknowledge your Notice of the opinion of the honourable house of Representatives, "that the Election of the Member

from Washington County has been illegal, with the Recommendation that a Writ of Election should Issue to provide for the attendance of a Member at the next session"

My Copy of the supplemental Law for the Government of the Mississippi Territory being now before the house, I can not Conveniently refer thereto, but if my memory serves me, the Powers which *had* been delegated to the Governour for the issuing of Writs of Election, are abrogated by that Law—

Should however, the Territory, in the opinion of the house, be liable to Injury or Inconvenience— or the advancement of the new order of Government retarded, by the delay which a reference to Congress would necessarily Occasion, I will concur in Recommendation to the people of Washington County for a New Election, and earnestly solicit that the Measure shall be legalized— Under my present View of the Business, this sir, seems all that I can do, *without* an assumption of Power, *which* my own Judgment would Condemn, and *which* the Wisdom of the house I am sure, could not approve— I have the honour to be,

Sir,

your most obedient,

(signed) Winthrop Sargent

The Speaker

of the honourable house of Representatives

To Gov. Sargent from the Speaker of the House.

Natchez Representative Chamber

3d.. of October 1800—

Sir,

The house received your Excellency's Polite answer to their Message of Yesterday Respecting the Election of a Member for the County of Washington, and from your proposals of Recommending to the people of that County, to hold a new Election for that purpose, and of your laying it before the General Govern-

ment in expectation that it may be Legalized, which Proposition hath induced the House to presume that it may be equally Consistant to Countenance the Election already held.

I have the honour to be sir your
Excellency's
Most obedient Humbl-
Servant—

His Excellency
Winthrop Sargent
Govr.. Mississippi Territory—

Speaker [1]

The foregoing was handed to the Governour by Messieurs Hutchins, and Burnet of the house (omitted to have been signed no doubt accidentally).

The Governour Verbally Replied that the honourable house must have misunderstood him in supposing *he had* proposed the Recommendation for a New Election and with the Expectation it might be Legalized, for he had only intended an assurance of Concurring with the house in such Measures as emergency should seem to *them* to demand—

That if a Request was made unto him in form to solicit the Legalization of the Election already *had*, it would be a duty to lay it before the General Government but there was in his view a Very essential difference between the *same* and *such* as might be obtained upon the Concurrent Recommendation of the house and Governour in evident disposition to meet as fully as possible the seeming intention of the *Law* to Regulate Elections within the Territory—

This Measure at the Time appeared to have the full approbation of Mr. Burnet, but of the proceedings of the house thereupon, the Governour has not been informed.

[1] Henry Hunter was Speaker of the House.

To Judges Lewis[1] *and Bruin.*

Bellemont Plantation
October 4th— 1800—

Gentlemen,

From a statement made unto me by Captain Vidal Commanding his Catholic Majesty's Post of Concord it seems that a Mr. Philip Nolan of this Territory, is preparing to enter the Province of Louisiana in a Manner that may disturb the Amity subsisting between the United States and Spain, and which Duty, as well as sound Policy, dictate unto us to preserve—

Under the Apprehension of Political Evil it is Wisdom I believe to use preventives, in which Faith, I inclose unto you, Captain Vidals Statement, nothing doubting your disposition to pursue the most Energetic Measures to preserve peace to our Country and the Dignity of Government—

I will thank you Gentlemen to acquaint me with your Proceedings in the Premises, as soon as is Convenient, and am,

with very much Respect,
Gentlemen,
your obedt. Humbl. servant
(Signed) Winthrop Sargent

Honourable Judges, Lewis & Bruin.

Appointments.

The Court of General Quarter Sessions for the County of Adams having Recommended to his Excellency the Governour, Joshua Howard & Anthony Hoggett Esquires as proper to be appoint Inspectors of Cotton Gins &c— were by him approved and Commissioned accordingly the 6th.. day of October 1800—

He was pleased also to appoint John Peirce Esquire Coroner for the County of Washingtin (Vice John McGrew Esquire who declined accepting the office) to whom he granted a Commission in the usual form dated the 6th.. of October 1800—

[1] Judge Seth Lewis, of the Supreme Court.

To Jose Vidal.

Mississippi Territory
Bellemont Plantation Oct. 8. 1800-

Sir

In Continuation of that uniform system which has been pursued by our Government to preserve Amity between Spain and the United States, I immediately laid your Statement of the 4th.. instant before the Territorial Judiciary.— Mr. Nolan[1] has in Consequence been Commanded before them, but the allegations against him, not being supported, he was discharged by their honours —

I am happy to be informed that this measure with Mr. Nolans assurances that he had no hostile intention towards Spain has fully satisfied you as to the Proceeding of the Judges and myself in behalf of our Government— and the Justice due yours.

I am sir,
with much Esteem
your obedient
humble servant

Captain Vidal (signed) Winthrop Sargent
Post of Concord Louisiana—

To Henry Hunter.[2]

Friday Morning 10th.. of Octr. 1800—
10 OClock A.M.

Sir

I have just now been favoured with your letter of Yesterday, asking in the name of the Honourable house, that their nomination for the Council.[3] should be transmitted by me to the Sec-

[1] Philip Nolan was charged with a filibustering expedition against Spain. He lost his life in 1801 near the present site of Waco, Texas.

[2] Speaker of the House of Representatives.

[3] The Territorial Council was appointed by the President, on nomination of the House of Representatives.

retary of State; and I request you to assure them, that I will Comply therewith.

This Letter has been Accompanied by Notice from the Honourable House of my address of the 22d. Ult: with an apology for delaying attention thereto, but which was unnecessary, *because* I have not been uninformed of the Embarrassments of Gentlemen, and have the Disposition always to apply the most favourable constructions.

Am at a Loss to know the Intention of the Honourable House in Stating *to me*, upon *such* an Occasion, that Misrepresentations have been made to the General Government of Members in their honourable Body— *it* Certainly cannot apply to my address, *which* is replete of Conciliation, and the most profound Respect — no Cause for Crimination I had fondly believed.

The Returns of the Sheriffs— and Certain papers Relative to Colo. Hutchins, appertain to the Secretary's office, and tis Requested may be Returned.

I have the honour to be,
Sir,
with due Consideration,
your very humble servant,
(Signed) Winthrop Sargent.

Colo. Henry Hunter
Speaker of the Honourable
house of Representatives—

To John Marshall.

No. 38- Mississippi Territory
October 13th— 1800—

Sir

In the Common order of Communication through the territorial Secretary, Congress might remain uninformed of the Progress in the second Stage of Government that they have ordered during the whole of the coming session, which under exist-

ing Circumstances of no inconsiderable Discontent, that I verily believe as growing into Consequence, it is my Official Duty to provide against, and keep *them* advertized of Public proceeding interesting to all this people, and which I shall endeavour to do, in manner as little tedious as my situation will admit.

The enclosed papers Sir, perhaps may better effect the Intention than any narrative of my own— and I take leave to preface them with Notice that I did not receive the supplemental Act for the Government of the Mississippi Territory, until the 24th— of June. —

No. 1. Is my Proclamation for the Elections in the several Counties— I took the advantage of a Return Express to the Choctaw Nation (in the Spirit of that Economy which has been ordered for me) to transmit it to Washington County, and but that his horse died upon the way the same would have been in season.

No.. 2—The returns from the Sheriffs of the several Counties.

No.. 3,—Contains Papers A,B,C,D,E, important to the Private, as well as Political Character of Mr. Hutchins one of the Candidates of Adams County, and which were submitted to the house in Connexion with the Sheriffs Return,— Mr. Banks, another of the Candidates, the Sheriff did not return as a Representative, because he adduced no Proof to have been a Citizen of the United States the Required Time, or that he was qualified by property— to the House he produced a Deed for two hundred Acres of Land but the Acknowledgement bore date two days *only* antecedent to their sitting, and of Course, long subsequent to his Election,— Those Gentlemen are declared by the House to be Representatives, but they have not Acquainted me, upon what Principle they were Admitted.

No.. 4,—Is my Notification to those Returned as Representatives to Convene upon the Day which had been ordained by Law— as also an *Invitation* to the Candidates generally to assemble—

Mr— Dunbar[1] however declined, expressing to me that he could make no Claim, *probably* because he had never been a Citizen of the United States, and our District was not of three years standing.

No . .5— My address to the House of Representatives.

No . .6— Letter from the Speaker announcing the Member from Washington County illegally Elected, and Recommending to the Governour to issue a new Writ of Election.

No. 7 Governours Response to No. 6 proffering to concur with the house in recommending to the people of Washington to make a new Election and solicit Congress to legalize the same, provided in their opinion the Measure was essential to the Interests of the Territory.

No. 8— Letter from the Speaker, signifying the opinion of the House, that it might be equally Consistent, in Congress to legallize the Election already had, as any that should be made in Consequence of the Recommendation proposed— with the Governours sentiments upon the distinction, Expressed to two of the Members, who had waited upon him with this Letter, and which has since been committed to Writing— The Washington Member Returned home before the close of the session, and no Communication has been made by the house to the Governour of the mode proposed to obtain the Representation from that County— Mr. McGrew the Gentleman elected has had no agency in Business before the house— so he has declared to the Governour.

No. 9. A Letter from the Speaker to the Governour, enclosing a nomination for the Legislative Council, Requesting that it might be transmitted to the Department of State.

No.. 10.. The answer of the house of Representatives to the Governours Address.

No. 11. A Letter to the Speaker acknowledging to have received the the nomination for the Council, with assurance that it should be transmitted agreeably to the Request of the house— In this Letter I could not but notice to the Members some very dis-

[1] William Dunbar.

cordant matter in their Response, and foreign to the Conciliatory Intention of my address.

With a great deal of Cause for displeasure, at some of the Characters in the honourable house, upon their misrepresentation of myself and the Judges to Congress as *Committee men*,[1] I essayed to sacrifice every feeling the natural Consequence thereof and which might militate *aught* against the Public Tranquillity; and right happy should *I have been*, to have been met by the Disposition to harmonize.

In this Communication sir it may be proper for me to note, that in Adams County, the number of Voters for Representatives, have been stated to me one hundred and fortytwo, in Pickering County, ninety two, and in the County of Washington seventy-two.

I have the honour to be sir,
with high Respect
your most obedient
humble servant,
(signed) Winthrop Sargent

Honourable Secretary of State,

To William Dunbar.

Cottage Bellemont Plantation
20th— of October 1800—

Sir,

I have delayed to Respond to your Letters of the 22d. Ult: and 12th— Instant, announcing your intention of Resigning the offices of Presiding Justice of the Court of General Quarter Sessions of the peace, and Judge of Probete, to give Effect to the opinions of your Friends and the Friends of Order, upon a Measure that must be attended with very injurious effects to our

[1] Several members of the House had been members of the West Committee.

little Community and, *which*, diffident of your own abilities, you seem not to be enough aware of.

I can readily admit, and I am sure no man will more Regret, that your Official Duties must interfere with the laudable pursuits of science— Studies pleasurable to yourself, and acknowledgedly of much Public Utility.—

That a young family, most deservedly dear to you, have strong Claims upon your Attentions, and that the unjustifiable attacks so notoriously made upon you for the Conscientious Discharge of Territorial Obligation is strongly marked with base ingratitude for the services which I bear Testimony you have rendered to this Infant Country—

But consider Sir, who are to be affected by your Resignation — May not the Example be followed by almost every man in office? The Malevolent and the licentious would, no doubt be well pleased, but the peaceful Citizen,— the Friends of Good Government, and which I trust are a Majority within the Territory, would *feelingly* lament your withdrawing yourself from the Bench, at a crisis more than Commonly urgent for Virtue and abilities in Office.

The Murders Robberies and other Enormous Crimes Committed within this Territory— and which have far exceeded any thing within my Observation in much more Populous Countries, imperiously Command the Collected Wisdom and Energy of the Government to Suppress.

Those important and Melancholy Truths are solemnly submitted for Consideration, and in the Result, with your Determination I shall accord.

I am truly sir,
with Continued Esteem,
your Obedient humble servant,
Signed Winthrop Sargent

P.S.

I have *herein* as you will Observe my Dear Sir, Departed from a *general Rule* "to press no man to Continue in Office,"

but I stand justified to myself, by a sense of Duty to the Public, and the Loss they must unavoidably sustain, from your Resignation in the present Moment.

(Signed) Winthrop Sargent

William Dunbar Esquire

To John Marshall.

No.. 39. Mississippi Territory
October 21st— 1801 (1800)

Sir

I take leave to transmit you the Copy of Presentments made by the grand Inquest at the last Session of the Supreme Court,[1] in order that the Sentiments of no inconsiderable part of the most Respectable Characters in our little Community, may be *thus* Communicated to the General Government if you shall deem proper—

I will not dilate upon the Merits and Consequences of the Gentlemen making *those* Presentments or the *former Ones*, that have been laid before Congress by a Mr. Hunter (In the original Presentments, a Copy of which is in the office of the Secretary of State—Congress— the Laws of the United States— the Governour as Executing those Laws— with a vast Volley of &cs- are all presented as Grievances) — *apparently trimed* for party purposes, and Published at the Seat of Government by Authority— Enquiry which seems the unavoidable Result, will no doubt Class man and Matter in their order— and I verily believe that there are but few Characters indeed, with any just Pretensions to Consequence from the Endowments of Nature, or any Adventitious Causes, and who were Signers to the Jury Representations (so partial a *Published* Statement of which has recoiled upon us

[1] These documents will be found at pages 47-50 of "Papers in Relation to the Official Conduct of Governor Sargent."

in this Country) that do not most fully Accord in the propriety and Justice of the Enclosed Presentments.

By this Post Sir I have sent on a nomination for the Legislative *Council* of the Territory, made by the house of Representatives, and I think it a Duty to observe that there *seems* an unnecessary, as well as general lack of the Attributes which the very name implies as essential to the Office— an Evident intention to exclude Men of sense and Letters— Melancholy Considerations indeed, to myself and those, whose lives and Fortunes are *thus* Jeopardized.

I have the honour to be sir,
Most Respectfully
Your obedient
humble servant.
(Signed) Winthrop Sargent

The Honourable Secretary of State

To Henry Hunter.

Grove Plantation
Evening of November 12th— 1800—

Sir,

A Hand Bill addressed to the Public, signed by every Member of the House of Representatives, and formally transmitted to me this Morning by one of the Honourable Members, I am not at Liberty to Consider a Dead Letter, but in my sense of Duty, am bound to notice.

Virtually as a house, those Gentlemen have assumed to make Statements which to my View, imply a Complete Management of the whole Legislature, and which no human Authority Could vest in *us* collectively, but with a Lease of Lives and Places, during the Temporary Government; My silence might possibly be construed into fullest assent, and implicate me in severest Censure, for though the Gentlemen do not announce themselves as

a Branch of the Legislature, *yet* if there be any distinction, it *seems* to me without a Difference.

They are undoubtedly the proper Guardians of their own honour and Conduct, but nevertheless, will not I trust take it amiss, in a Communication intended only for themselves, that I should observe it has always been Considered derogatory to the Dignity of Public Bodies, to notice anonymous writings, in the style and Manner of the Hand Bills,— it opens a broad Avenue to Retort and Satire, with many other obvious and unpleasant Consequences.

The writer in "Greens impartial Observer" undersigning himself " a Friend of the people," is to my View incorrect. Every prudent Man I believe makes his Calculations of Expense that may be incidental to undertakings in which he is materially interested, whether they be of a Public or private nature, and general Experience has shown, that such Estimates too often fall short of *Actual Charges;* under this Rule I have myself counted Costs, with much Data from the Operation of the second Grade of Government in the Northwestern Territory, and which though otherwise attainable by the Members of the Honourable House, I cannot upon the present Occasion forbear offering in the Aggregate— It amounts to full information, and from a very Respectable Member of the Legislature of *that Territory*, that an Estimate, (not including the Expense of a Member to Congress) and equal to twentyfive thousand dollars, had been found inadequate to Exigencies, and as our Citizens seem now in the high Road of Enquiry, this will probably soon become matter of notoriety.

I will only further add, that the Compensation to Territorial Representatives from a Treasury upon which they can have no Claim, is believed to have been Admitted upon the Principle of Charity, the Incompetency of the People to the Expense, and that the second Grade of Government, was the Effect of the General Ordinance— not a special solicitation from a Country boasting of an annual Income of seven Hundred and fifty thousand Dol-

lars— "extremely anxious of a Legislative Assembly, and entire Competency of Resources."

I have the honour to be sir,
with unfeigned wishes for
such Measures as shall produce
most general contentment,
and Respect for yourself,
your obedient
(signed) Winthrop Sargent

Colo. — Hunter Speaker
of the house of Representatives

To John Marshall.

No. 40-

Mississippi Territory
November 12th— 1800—

Sir,

In conformity to an order of the Court of General Quarter Sessions of the peace of Adams County the Enclosed Presentments have been laid before me— Requesting if I read them right, that a statement of the unhappy situation of this Country, in Consequence of the Supplemental Act for our Government, should by me be Respectfully offered for the Consideration of the honourable Congress— nothing doubting, that they may be graciously pleased to suspend the operation of the same, until the second stage or Order of Government, shall sufficiently appear to be the wish of a Majority of our Citizens.

I have ever Considered it a Duty sir to keep Government correctly informed of the Disposition, and the Conduct of the People over whom I preside, and under such impression, have anticipated almost all the Wishes Expressed in the accompanying Presentments, as well as *those* of the Grand Inquest, at the late Term of the Supreme Court, and which I had the honour to transmit by the last Post.

The Notification whence originated that *select* Committee, the minority of whom have so unwarrantably assumed, not appearing with the Copy of Petitions and Papers borne by Mr. Wests accredited agent to Congress,[1] I take leave now to forward— for so I Conceive to be the desire of the Grand Inquest.

It came to my View through the Medium of an officer of Government who informed me that it had accidentally fallen into his hands, and he deemed it an indispensable Duty to make me acquainted with such extraoridinary procedure— he, probably had in View, the Indecorum thereof, as well as the very short notice for a general Convention— this was two days only before its operation, and as I have upon a former Occasion stated to you sir, I have good and sufficient reason to believe that a very Considerable Proportion of this People were not so early, or indeed ever advertized—

The object of the notification it is observed, could not by any fair means to be construed to extend to a Change of Government, and hence is adduced an Inference, *that* better to Mask the usurpation of Authorities the *same* had been kept back from the View of Congress, and the Petition to that honourable Body is believed to have been very little understood within the Territory, until much Lapse of Time from its Effect with the general Government, when *it* seemed Insultingly published in our Gazette, to the no inconsiderable Mortification of a very Respectable Class of Citizens—

A Copy had been furnished me as I have noted once before, a few Days after the original had been taken on by Mr- Hunter, but the adverse and discordant Passion, which it seemed Calculated to inspire prevented my communicating to more than very few Gentlemen who Confirmed the sentiment of its very *partial* Circulation, and I think it a Duty to add that the means of

[1] This important presentment of the Grand Jury of the Supreme Court of the Mississippi Territory does not appear in Claiborne's account of the charges made to Congress by the West Committee. The Grand Jury denounces Narsworthy Hunter, and the second grade of government. It was presented at the October term, 1800.

making it *general* through the Press were amply within the Power of the Committee, seasonably enough to have afforded an opportunity for objection to have found its way to Congress if *such* had either been the wish or the Intention.

In my Communications to the Department of State of November 1799, and sundry other Letters I noticed a Retrocession of most Respectable Characters from this Committee *that* in every Point of View the Territory seemed unfitted, and generally unaspiring to the Change in Government which the few might be about to solicit, and it is the sentiment of almost every Rational Man with whom I have Conversed, that had Congress but *Postponed* to act upon Mr. Wests Representations, the good sense and Conciliatory Conduct of the Majority would have long ere this prevailed to Establish due Order and Regulation— a happy Confidence in the Laws which should have operated as preventive means against the Manifold and enormous Crimes which in so uncommon a Degree has Disgraced our Infant Country— and that a full share of Peace quiet and general Contentment would at this Time have been the blessed Consequence.

A very worthy and Influential part of the People of the Mississippi Territory- many of whose names are found in the Lists of the Grand Juries making the late Presentments[1] —Under the Command of habits acquired in a Government where they were per force supine, and deeming also, *perhaps* too Contemptibly of Mr. Wests Committee and agent, had hitherto been silent, but in the late Constitutional opportunity which has been afforded and the imperious Exigency of the Times— Convinced that they were the proper Organ of Communication from the most Populous and the most Wealthy County in the Territory they have with fullest Confidence in the Justice and Parental attention of the General Government respectfully taken leave to present their

[1] The names of William Dunbar, William G. Forman, Thomas Wilkins, David Ferguson, George Cochran, George Overaker, J. Hutchins, William Scott, F. Zerban, Philander Smith, Henry Turner, Charles Todd, John Minor, John Wilson, Benajah Osmun, Daniel Douglass and James Nicholson are signed to the presentment of October, 1800.

wishes, and their apprehension upon an Act which they *solemnly* profess to believe will tend to depopulate our Country, most Earnestly soliciting, *not* that the minority in Wealth, understanding and Numbers may be supremely gratified, but that the operation of the Madate shall be suspended till a change may be demonstrated as the Wish of a Majority of the People—

It has been urged say these Gentlemen in Favour of this deprecated Order of Government, that former Presentments of Grand Juries (arrogantly Censorious of the very highest Authority and Executive Conduct, since Virtually confirmed by that authority to have been correct) "W a s undeniable Evidence *that the* "*change* must be consistent with the wishes of the People— es- "sential to their Welfare, and truly congenial to the best interests "of the General Community:" and as there can be no Doubt those Presentments had abundant Effect, we feel ourselves fully Authorized to submit the sentiments of subsequent Juries, composed of men, some of whose Characters and Respectability certainly shall not be diminished by Comparison, as strongly expressive of the most Earnest Wishes of our Citizens.

Amongst other reasons Sir, which should perhaps operate to a retrospection of the "Act" for this Country, is the inequality of the provisional Representation, produced either from Ignorance or unfair intention, which as it must continue until we have five thousand free male Inhabitants, would no doubt become a new, and plentiful source of Disquietude.

Adams County it is believed contains at least one third more souls than Pickering, and twice as much wealth as the whole Territory beside; *yet* is entitled only to an equal number of Representatives with Pickering County— and Washington only one Member, when in the due Ratio with Pickering County it is presumed, as no Census had been taken, they ought to have two.

In the first named Counties, populous as they have been stated to Congress, the whole number of Electors did not exceed two hundred and thirty six— Men of Character, and property — professional, Commercial and others have been excluded from Vot-

ing by the deficit of Landed Property which the present Provisional Law requires— English men Spaniards and Apostatized Americans, it is mortifyingly believed, are with a few exceptions, the only Persons entitled to this Privelege.

I do not myself admit the full force of apostacy applying to all my Countrymen *here*— there may be causes to have Justified the Migration of some amongst them, but I am not Chatholic enough, to View with entire Complacency, those who have abandoned their America in Peace or War —*Such men* I scrutinously scan, as Time and opportunity may permit; my Confidence towards them is of slow Growth, but in some few instances it has been found due to Patriotizm in Exile.

In my Letter of the 21st- of October No. 39 I presumed to observe to you that there seemed an unnecessary lack of abilities in the nomination of our Legislative Council—

The honourable house of Representatives in their Response to my address have very candidly vailed for Abilities and decernment, and in equal Candour it is believed, that the honourable Council should Vail to them—

No man in either of the two Branches of the Legislature Contemplated will I presume make pretentions to reading in Jurisprudence, and it seems too generally Credited for Confidence in the house, or the Contentment of this People, that there had been an avowed intention to exclude from the Council "Book Learning with the knowledge of schools," and it will not be denied I presume, that the nomination which I have had the honour to transmit, goes great lengths to confirm such Opinion.

A Mr. Ellis and Mr. Binghaman,[1] who are upon the List, enjoy I believe a considerable share of public Esteem— they are men of Wealth, and to my View worthy Members of society, but lacking the essential qualification of Legislators — their studies and pursuits, seem to have been turned to more peaceful, and more advantageous purposes, than Legislating in this Territory,— They will not however it is said consent to be in the Commission of the

[1] John Ellis and Adam Bingaman.

Council, for they understand that *they* were nominated to be *managed,* and are sufficiently sensible of the indignity.

Abstract from the Request Sir, that I should state "to Government the real situation of this Country as affected by the ill timed Change" it is certainly incumbent upon me to notice specially the Character and Qualifications of such of their servants, as might collectively have it in their Power to promote or injure the General Weal.[1]

My Letters numbered 33- and 36 written in Defence of the aspersed Conduct of Judges and Governour, and which I could wish to be read in connexion with the late and Present Presentments— as far as they shall be accredited, will go to shew an apparent lack of Candour and Integrity in men *since* elected Members of the house of Representatives— and the Papers marked No. 3 in the Letter Numbered 30, which evidence so extraordinary a Degree of Duplicity, in the Conduct of a Mr. Hutchins[2] upon the Interesting Subject of Land Titles, and which were submitted with the Sheriffs return to the house— having established a very uniform and general sentiment upon his Foreign Engagements[3] must destroy all Confidence, in those who have Confirmed his Election, for by the same parity of proceeding it is inferred, *they* might Constitute a Complete British or Spanish, instead of an American Representation.—

Mr.. Hutchins I am told, has been found under the several Governments of this Country heretofore a very active Engine of Mischief and is also Represented to me from Respectable Authority, as unceasingly essayed by insidious arts to oppose the present administration, and attach an Odium to the Character of the Public servants in this Country —Military as well as Civil— *This Conduct* towards the Governour, and which in his Representative Character is of late sometimes shamefully demon-

[1] The first members of the Territorial Council were Adam Bingaman, John Ellis, Flood McGrew, John Stampley and Alexander Montgomery.

[2] Anthony Hutchins.

[3] Anthony Hutchins, at the time of his election to the Territorial Legislature, was a pensioner of England. In order to take his seat he was required to relinquish his pension.

strated, is the Effect probably of having been deemed ineligible to Commission in the spirit of our Constitution, and the Obvious propriety of Excluding all Foreign Influence— With such a Representation then Sir, which seems fully established in the Premises to be not only wanting in Abilities &cs- but very *partial*, the prospect would be Gloomy and alarming, though our Wealth was even fully adequate to the Expense.— But 'tis not true that our Fortunes are prepared for the additional assessment which to the second Stage of Government will inevitably accrue— The Proportions of the 6040 Dollars, though Prisons and Public buildings were acknowledgedly necessary— and it was believed the Tax would not be repeated, have produced much dissatisfaction and murmuring— and are pronounced by Gentlemen of Information candour and Veracity to be Extreme burthensome by a Comparison with practice, and usages in the United States.—The *Quota* thereof, and additional Charges in support of the new Government *which* is to be borne by the few who have been so active for the change, *will* be in some Measure illustrated by the enclosed schedule*— that may likewise serve to demonstrate in a Degree, how very little of the Wealth has been Operative in this insidious, and I verily believe unpopular Business *also*

The pecuniary Effect which "the supplemental Act" for our Government must no Doubt have upon the minds of the Respectable Representatives of property from the Grand Juries who have come forward with the late Presentments is not, as I trust I have sufficiently explained, the only source of Disquietude and anxieties, though *that* in itself, under the present Circumstances of very many of the Inhabitants, would be indeed distressing.

Upon this Subject as a Planter— with a Considerable Proportion of *those Debts* which I have before stated to you, as hanging over the heads of this People, and implicated in an *Equal* part with the aggregate number of Mr. Wests Committee from Adams County, I could speak most feelingly— but on the present Occasion, I Consider myself merely as the Organ of the Juries—

* See next document.

My statement is intended in perfect Conformity to the spirit of their Request, as it has appeared to my View in the Copy of their Presentments, transmitted to me by the honourable Court,— and it will be candidly acknowledged I trust by the Territory at large, and can not be unknown to the General Government, that I have liberally and and uniformly tendered myself, as in Duty bound, to make known to that Government all the Reasonable Wants and Wishes of this People.

I have the honour to be,
Sir,
with most Respectful
Consideration
your obedient
humble servant
(Signed) Winthrop Sargent

The Honourable Secretary of State

Schedule alluded to in the foregoing.

Comparative View of Taxes paid by the Members of the Grand Juries at the October Term of the Supreme, and November Term of the inferior Courts Adams County and Representing the second Grade of Government as a Grievance— with *those* of Mr. Wests Committee, of the said County who had Petitioned for *that* Grade— being nearly half the number of the Committee.

The whole Estimate was . . Dollars . . 6040.
The Members of the Grand (Jury) attending the Supreme Court pay 600
Ditto of the Inferior Court 400
Members of Mr. Wests Committee only 120

The above statement has been taken from the Lists of the assessors, and though not descending to detail, is believed to be very Correct— My own Proportion of the 6040 Dollars amounted to 119[1]—

(signed) Winthrop Sargent

[1] The Governor is here drawing a comparison of the amount of taxes paid by the members of the grand jury and the West Committee.

Circular Letter to Slave-holders.

His Excellency the Governour was pleased to write the following Letter, and in pursuance of his direction, near one hundred Printed Copies of it, were addressed to Respectable Characters, and slave holders, within the Mississippi Territory.

Mississippi Territory
Grove Plantation Novr. 16th 1800

Sir,

I believe it a Duty to Communicate to the Officers of the Territory, and Slave-holders within the *same*, that an *intended* Insurrection amongst the Negroes of Virginia, (in which fifty thousand were to have rose in Arms) is said to have been lately discovered, and that six of the *Principal Blacks* are already Executed at *Richmond*— but my Correspondent observes, that this alarming Business *probably* had its origin in *foreign* influence, and was intended to extend throughout the United States— to reiterate the horrid scenes of Rapine and Murders, which have been Practised in the French Islands— though the Chief and Villanous agents had not been detected at the time of his writing.

It is almost unnecessary sir, after the preface of this interesting Communication to Recommend, to your prudence and understanding the utmost Vigilance to your *own* and the slaves of your neighbours— or to suggest the impolicy of unnecessarily alarming *them*, by informations upon a *subject* which mild and wise Treatment may happily long keep from their Views and wishes.

Violent assaults upon the overseers of Mr. Lintots and Mr. Moores slaves, and the severally wounding one or both, I believe may be *judiciously* urged as the motive for extraordinary Circumspection in the present Moment, and to Completely enforce the Law against slaves retaining any Kind of Weapons.

Upon this occasion it seems more than usually incumbent upon me to demand from the officers Civil and Military — and all good Citizens, according to their Respective Duties, to use their best endeavours to produce perfect submission to the stat-

utes for the Regulation of slaves within the Mississippi Territory.

They will please to Remember that upon Saturday Evenings and sundays when the Negroes of different Plantations assemble, devising means for excess in strong drink and frequently mixing with *such* as have of late been introduced amongst us (some of whom, it is more than probable have been actors in the Bloody scenes that have already devastated whole Countries,) we should take extraordinary care to provide against impending Mischief: — Their Quarters and places of Rendezvous should at such times be particularly attended to by the proper persons —and in the approaching holydays, and whenever *indeed* it may be deemed necessary, the Military Officers will be pleased to use the Ample Provision of Patrols and Guards which the General Orders have Authorized to their discretion.

Characters arriving within the Territory, whose pursuits are doubtful should be immediately reported to the Governour— or some of the Officers in Commission for enquiry and investigation.

A strict observance of such Rule might be the happy preventative means of much and *fatal* Evils.

(Signed) Winthrop Sargent
Governour
Mississippi Territory.

Bernard Lintot Esqr— William Dunbar- Esq. &c &c—

To Lyman Harding.

Natchez November 18th.. 1800

Dear Sir

The Presentments of the Grand Jury in which I have been solicited to make Certain statements for the View of Congress, might be very much facilitated by the Kindly Aid of Mr West, and which there can be no doubt he must feel himself at Liberty

and disposed to lend me— A View of the Journal of the Committee of which he was the Chairman, and which from their long sitting and method in general proceeding that has as yet been offered to the Public, probably contain the Entries of all the Letters of Credence of the Members, and indeed every important paper and Transaction, would better enable me to gratify the Wishes of Gentlemen of the Jury and which as it seems to have been *yielded* by Mr. West is Expressive of Popular will, *he* will Certainly gratify me in.

Please signify my desire with all due Respect, and make me acquainted with the Result.

With Esteem I am,
Dear Sir,

yours &c
(signed) Winthrop Sargent.

Mr. Harding
Attorney U. States & Territory—

To the Secretary of State.

No. 41. Mississippi Territory
November 20th— 1800—

Sir

I beg leave to advertize Government through the Department of State, that this Country Continues without "Stamped Vellum Parchment and Paper" diminishing thereby in a Small Degree the Common Revenue, and to the hazard of unpleasant Consequences for the People, if I have read the Law in Point correctly.

I have before sir written upon this subject to your Office—

I Embrace the Present Occasion to advertize you that Laws

of the United States passed at the last Session of Congress have not been Received in the Territory—

And am Sir,
With most Respectful
Consideration,
your obedient
humble servant,
(Signed) Winthrop Sargent.

Honourable Secretary of State.

To John Marshall.

No. 42- Private, Mississippi Territory
November 20th— 1800—

Colonel Clark Sir on the *Finishing* of his long Epistle intended for the Public no doubt, through the Medium of Mr. Claiborne, Represents the Governour of this Territory as of "Austere appearance— not even anxious of Popularity, and wanting that kind of affability which is necessary to draw the People about his Person"[1] —and that *such* were the Colonels *real* sentiments there can be no doubt in the minds of Gentlemen acquainted with his Character, for he was too honest to express an Opinion foreign to his heart, and too ingenuous to veil himself upon such an Occasion.

In a more Private Letter to the Secretary of State (who should Certainly be *Correctly* informed of Public Servants) it can not be amiss, that I observe much Industry has been used to impress the people of this Country with an Opinion of extreme austerity in the Governours Manners— Deficit of Urbanity, and sovereign Contempt for the Inhabitants,— But that not one solitary Proof can be brought forward to Establish such Hypothesis I pledge myself— nay *more*, if necessary I would undertake to prove the *Negative* by most incontrovertible Testimony.

[1] Daniel Clark's letter to W. C. C. Claiborne, dated Clarksville, Mississippi Territory, June 18, 1800.

I take leave to offer one Single Case in Point of this iniquitous Disposition— it is drawn from me per force, and *former* Strong Representations Considered, I trust I shall need no other Apology.

It occurred soon after my arrival in this Country as follows

A *Poor man* and apparently under very great embarrassment, waited upon me to solicit Council in some contested Matter, and which being entirely out if my Province, I frankly observed so, and recommended to apply to some Gentleman of the Law.— he plead utter Imcompetency to the expense, and Received in Consequence my best advice in Language adapted to his understanding, and with that "Suaviter in Modo" generally denied me, and which was to him as unexpected, as it was gratifying. ,

He told me that he had never approached any man under so strong Impression of awe— he had made his application to a Character, a pretended Law Counsellor, whose pecuniary Conditions for advice would have Robbed him of half his little all— that he had proffered to share liberally with him but in Vain, and as the "dernier Resort" signified he would solicit the Governour, when the Miscreant declared to him " 'twas in vain— he knew the Governour well— that he had never spoke to a *Poor man* in his life, and that his application would be attended by broken bones *certain*, perhaps Death itself."

A few such men with artful and insiduous Management might impress the strongest minds.

I candidly admit that I am not "over anxious of popularity" according to my acceptation of the Expression— no man however more ardently desires the approbation of the Wise and the Good than myself, but I shall never be so far Degraded, as to become the Machine of the Multitude.

I am Sir,
with most Respectful Consideration
your obedient
humble servant
(Signed) Winthrop Sargent

The Honourable Secretary of State—

To Cato West.

Adams County
November 29th— 1800—

Sir,

The wish of this People that I should state to the proper Department the real Situation of our Country, as affected by the Change of the Mississippi Territorial Government, brought about by the Committee of which you was the Chairman, and that I should transmit the Papers and Documents in Point, will I *trust* sufficiently apologize for my again *directly* and more formally soliciting that you would favour me with a View of the Journal of the Committee— Letters of credence for the Members, and any other Papers which may tend to illustrate the rise and Progress of Proceedings in that Body— indeed a View of all the Papers of the Committee which may have been deposited with you as their Chairman is desirable— not from mere Motives of Curiosity, but to enable me to Comply with the wishes of the People as Expressed in the Presentments of a Grand Jury of Adams County made at the November Term of the Inferior Court

To send a Clerk to Copy those Papers is out of my Power, but I promise to Return them unto you in the same order I shall receive them, if you will be pleased to put them in the hands of Mr. Sheriff Ferguson, whom I request to take them in Charge— sealed up if you may so deem proper—

I have the honour to be
Sir,
with all due Consideration
your obedient
humble servant,
(Signed) Winthrop Sargent—

Mr. Cato West-

General Militia Orders for Adams County Mississippi Territory December 1st, 1800

Major Osmun is Promoted to the Rank of Lieutenant Colonel and to Command the Militia of Adams County—

From the zeal and Militery Experience of this old soldier[1] the due exertion of subordinate officers, and proper Spirit of the Men, The Governour Flatters himself that the Legion of the County will not only assume an Exact Military appearance but become fully Competent to all Possible *internal* Demands, and highly Respectable as Citizen Soldiers—

Ebenezer Rees and Anthony Hoggat Esquires are appointed Captains— William Noble Galbreath, James Griffin, and Thomas Dawson Gentlemen Lieutenants— Mortford Calvert, Anthony Calvert and Peter Vandoorcen Gentlemen Ensigns,— They are to be Obeyed and Respected accordingly.

Lieutenant Colo. Osmun will be pleased to arrange them to Companies as may best accord with the General Standing Orders for promoting the Mutual Convenience of Privates as well as officers—

The Governour Cannot Pass the present Occasion without expressing his solicitude for one of those Field Days which the County Commandants are Authorized to name, and which have not yet, he believes been Advertized for Adams County.

(Signed) Winthrop Sargent

To Benajah Osmun.

December 1st— 1800—

Sir,

Colo. Steele will transmit you the Commission of Lieutenant Colo. Militia of Adams County, and I persuade myself from your zeal of the happiest Effects, their Complete Organization.

[1] Soldier of the Revolution (New Jersey). Reg. Qr. M. 2d N. J., 1777; 2nd Lt. 1778, taken prisoner at Charleston, April 24, 1780; 1st Lt. 1781, served to close of war.

Patrols which were long since authorized, and *now* specially necessary, should in my opinion be continued to the end of the holy days— The Planters whose fears are up, and who are duly impressed with the necessity of the Measure, have anxiously Expressed themselves to me thereupon and which will very much facilitate this indispensible proceeding.

I have the honour to be
Sir
your obedient
humble servant
(Signed) Winthrop Sargent

Lieutenant Colo- Osmun

Commission to Lieut.-Col. Osmun, and others.

His Excellency the Governour was pleased to Promote Major Benajah Osmun to the Rank of Lieutenant Colonel of the Militia of Adams County to whom he Granted a Commission in the usual form, dated the first day of December 1800— (issued the 15th.)

He was also pleased to appoint Ebenezer Rees and Anthony Hockett Esquires Captains— William Noble Galbreath, James Griffin, and Thomas Dawson Gentlemen Lieutenants— Montford Calvert, Anthony Calvert, and Peter Vandoorcen Gentlemen Ensign in the Militia of the County of Adams, to each of whom he Granted a Commission in the Usual form, bearing date the first day of December 1800—(issued the 15th)

He was also pleased to approve the appointment of Alexander Montgomery, Samuel Marshall, James Truly, Robert Miller, William Brocus James Hyland, and James Ferguson Inspectors of Cotton Gins &c. for the County of Pickering, to whom he Granted Commissions bearing date the first of December 1800—

He was also pleased to appoint Richard Lee Esquire Prothonotary to the Court of Common Pleas, Clerk to the Court of General Quarter Sessions, and Recorder for the County of Washing-

ton and Granted him Commissions accordingly bearing date the 1st December 1800—

He was also pleased to approve the appointment of Samuel Mimms[1] and William Coleman Inspectors of Cotton Gins &c — and granted to them Commissions accordingly bearing date the first of December 1800—

To Major ——— Pike.

Grove Plantation
Dec. 1st— 1800—

Sir

The absolute necessity of furnishing Provisions (Beef and Bread) to the Indians visiting Natchez, induced an Order from General Wilkinson previous to his Departure, that the Contractor should be provided *there* and attend to my Requisition

some Causes of *late* have prevented the good Effect of such arrangement, and the Indians as well as the Planters, are murmuring in Consequence— the former because they are not served as usual, and the latter because they are Plundered beyond the common Usage;— which we all know is bad enough at best—

If you will Remedy this Evil, it will be a *general*, as well as a particular Kindness to your Friend

and very humble servant
(signed) Winthrop Sargent

Major — Pike.
Commanding the Troops. U.S.— M. Territory

To the Speaker of the National House of Representatives

Natchez Mississippi Territory
December 20th— 1800—

Sir,

A very considerable Proportion of the Respectable Inhabitants of this Territory and Representing most of the Wealth or

[1] For whom Fort Mims was named.

Property thereof, have Requested that I should offer to the Consideration of the honourable Congress the enclosed Petition.[1]

The Communications which I have already made to the Department of State bearing date the 15th— of June — 25th— of August, and a recent Statement to the Secretary upon Request from two Grand Juries will I trust sufficiently Explain to Government, the Variety of solicitation from the Mississippi Territory, and preserve *our* general Character from the Suspicion of Versatility. I respectfully ask from you sir, for and in behalf of this people that you would obligingly offer their Present Petition to the View of the honourable house of Representatives: —the graciously granting the Prayer thereof would I verily believe, more than any other Measure Contribute to Produce Contentment, and that Rejecting it might constrain almost all the Industrious Citizens who can with any Degree of Convenience Change Countries to Remove below the line, for with our present population and Incompetency it is believed the Expenses of the second Grade of Government must be insupportable— In this Faith sir, it becomes my Duty earnestly to add my solicitations in behalf of the Petition of this People—

I have the honour to be Sir,
most Respectfully,
your obedient,
humble servant,
(Signed) Winthrop Sargent.

The honourable Speaker of the house
of Representatives— U. States—

To the President of U. S. Senate.

Mississippi Territory
Natchez Decr.. 20th.. 1800—

Respected Sir,

The enclosed Petition signed I believe by the Principle part of the most Respectable Inhabitants of the Mississippi Territory,

[1] Petition signed by four hundred inhabitants of Mississippi Territory asking for a return to the first grade of government.

many of whom have solicited that I should introduce it to the View of the Senate through the Medium of their President, I trust sir, may sufficiently apologize for my presuming to ask that you would take the trouble of presenting it as early as possible to that honourable Body— Other Copies (and with additional signers) in distant parts of the Territory, soon Expected to be Received, will be transmitted by the Mail.

The Extraordinary Varience between *this* and the Petition which was presented from the Territory by a Mr. Hunter in the last session of Congress, is measurably illustrated by the present Petitioners, and the Communications which I have had the honour to make, at the Instance of two Respectable Grand Juries to the Department of State, with my letters to the Secretary of June 15th— and August the 25th— must abundantly evidence, that the former Petition praying for a *Change* in Government had been surreptitiously obtained.

Bound in honour and in Conscience to Promote the Interests and Welfare of this People to the extent of my Capacities, I conceive it an Indispensable Duty to observe, that the Operation of the "Supplemental Act for the Mississippi Territory" under the present Circumstances of the Country, would probably be attended with Depopulating and other injurious Consequences.

I have the honour to be
Respected Sir,
with sentiments of highest Consideration
your most Obedient
humble servant
(signed) Winthrop Sargent

The honourable
President of the Senate
of the
United States

To John Marshall.

No— 43— Mississippi Territory
December 20th— 1800—

Sir

For the more safe passage of a Petition from the People of this Country to Congress and Letters to several of the honourable Members, I take leave to enclose them to your address — I do myself the honour also to transmit to you a Copy of the Petition—

It seems incumbent upon me by this Conveyance to Repeat to you sir, that I have not Received even a single Copy of the Laws of the United States Passed in the last session of Congress As also that we Continue without Stamped Vellum or Paper, upon which subject I have heretofore addressed the Department of State.

I have the honour to be
Sir
Most Respectfully
your most obedient
humble servant
(Signed) Winthrop Sargent

The honourable Secretary of State

To John Marshall.

Mississippi Territory
December 26th— 1800—

Sir

I had the honour of Receiving from you Yesterday, a letter dated Sept Ult:- advertizing me of having Ordered thirty seven Copies of the Laws passed in the last session of Congress to this Territory— They have not yet been Received— This is the only

Letter with which I have been Favoured from the Department of State since the 12th— of May last.

I am sir,
most Respectfully,
your obedient,
humble servant,
(Signed) Winthrop Sargent

The Honourable Secretary of State.

A transcript of this Journal from page 319 was made for Transmission to the secretary of State, and authenticated in the words following Viz—

"The foregoing one hundred and thirteen pages is a Transcript of the "Journal of proceedings of the Governour in his Executive Department of "the Government of the Mississippi Territory, during the second six months "of the year Eighteen hundred"—

"In Testimony whereof I have undersigned my Name and affixed my "Private Seal, as "Secretary in and for the Territory aforesaid, this third "day of January One Thousand Eight hundred and One"—

John Steele. (L. S.)

Put into the hands of the Q. M. F. Jones to go by express- the 6th- Jany. 1801— a Copy of the Laws also—

To James Ross.

Mississippi Territory
January 4th— 1801

My Dear sir,

I avail myself of the opportunity of an Army Express to transmit Petitions from some of the Inhabitants of this Territory of similar Tenor to those which I had the honour to send forward by last Mail— signed by most of our Respectable Inhabitants, and more than three hundred in number if my Memory is Correct.

I am informed that other Copies are in Circulation and which probably it will become my Duty to trouble you or some other Gentleman of Congress with by the next Post.

I submit to your better Judgment to determine whether it will be most proper to bring those Petitions to the View of the Senate through the same Channel as the last (the President) or to oblige the Petitioners by presenting them yourself

The Petition for the House of Representatives, I solicit you would be pleased to ask of the Speaker to offer

With sentiments of most respectfull Esteem,
I have the honour to be,
My Dear Sir,
Your obedient,
humble servant,
signed Winthrop Sargent.

The Honourable James Ross
of the Senate of the U. S.

Address to Militia Officers.

To the Commandants, Field Officers, Captains, and Subalterns of Militia, Mississippi Territory, January 12th— 1801-

Natchez.

The Governors strong anxieties for the safety of the good People of the Territory, impel him again to urge the well ordering and Arming of the Militia.

To the Discretion and firmness of the officers, he may adventure to express himself in Confidence, and without apprehension of Creating unnecessary alarm.

Of the Continuance of Indian Friendship we cannot be assured, and the Crisis of Hostility would be found *fatally* tardy for the essential preparation of Defence.

Almost every day adds to the number of our Slaves, and (Reasoning from the fine feelings of Man) to the number of our most inveterate Enemies *also*.

'Tis more than probable, that in the Lapse of another year, there will be more Blacks than Whites within the Mississippi Territory.—That we deprive them of the sacred Boon of Liberty is a Crime they can never forgive— Mild and humane Treatment may for a Time Continue them quiet, but can never fully Reconcile them to their situation— and Calculating from the Experience of some amongst us, in a War with any European, or even Indian Power, *they* might be irresistably stimulated to Vengence.[1]

From those important serious Considerations, the Governour is induced to reiterate Recommendation to the Officers, of most energetic Measures— that Company Districts be fully ascertained without a Moments delay, and every Man Enrolled in the Militia according to Law.—that all deficiencies in Arms and accoutrements be immediately supplied:— to enforce which the penalties should be inflicted, *provided* in every case of Delinquency, for no man of Reason will Deny that the Consequence of Continuing a *mistaken Clemency* and unlawfull Indulgence may be most fatal to ourselves, our Wives and our Children.

Military Officers must Consider it a Point of honour, to Carry into full effect, the Laws for the Regulation of Slaves— Legionary Commandants have been permitted to order out Patrols whenever they shall deem it necessary, and it seems advisable that *such* should Occasionally be used altho' no suspicions might occur —not unnecessarily to harass the Men, but *more* Strongly to impress the Negroes that we are never off our Guard.

Noncommissioned Officers or others having the order of Patrols, should be specially instructed as Circumstances may Require —and Cautiously to avoid all Violence other than may be absolutely necessary for the apprehending and safe Keeping of Delinquents, and security of the peace.

Some Complaints have been made to the Governour of cruel

[1] No instance of a servile race having revolted in time of war has come to the attention of the editor.

and Barbarous usage practiced towards Slaves, under a pretended Authority, and which he highly disapproves:

The Military Authority only can Constitute the Legal Patrols, and the evil Consequences of Suffering this Power to be usurped are so obvious that officers will Consider it their Special Duty to guard against and Report Offenders.

Company and Legionary alarm Posts should be assigned to which the Men are to be directed to Repair, in Case of Domestic disturbance and Receive their Instructions from the senior officer present according to the Rules of War— And Communications must be made as early as Possible, to the proper Legionary Commandants, and the Commander in Chief.

The firing of three Guns with an interval of half a Minute between each Discharge is to be Considered as the Legionary Alarm by night or by Day.

A Complete Return of the Legions, Arms &c, Distinguishing between Rifles & smooth Bores is again Required.

(signed) Winthrop Sargent

To John Girault.

His Excellency the Governor was pleased to write the following Letter to Colo. Girault, and to inclose to him the foregoing Order

Grove Plantation
January 12th— 1801

Dear Sir,

Please to Communicate the Enclosed in the most impressive possible manner to the Officers under your Command —I expressed to you my sorrow that I could not see the Militia of Bayou Peirre— Public avocations in this part of the Territory prevented

It might not be amiss to suggest to Major Dixon, as a Magistrate, and to the Sheriff also my Opinion of the propriety of fit-

ting up one of the Houses at the Villa Gayoso as a Prison— I have before from the Powerful motive of Economy, advised such Measure, and the Extraordinary Dissonance as to the proper site for Public Buildings since I have advertized for Information of the General Wish more and more Confirms me in the propriety of Continuing the Courts at the Present seat of Justice.

I should have made no objection to Erecting Public Buildings at Union Town upon the Proffer of Gentlemen to take all the expense from the County, because it would have Comported with my wish to Economise those Resources of which I have been so Maliciously accused of being very Prodigal, and because the Reputation of the Adjoining Grounds *might* have equally insured the Safe Keeping of Prisoners, as well as General Convenience— a change however I am persuaded (no matter what Position should be taken) would but add to the imaginary sources of Discontent,[1] and the Requisite assessment to build a Court-house and Jail in a present Central Situation might Render even the *Placid* Spirits of your County Restiff, and Turbulent.

With Esteem I am Dear Sir,
your very humble servant
(signed) Winthrop Sargent

Lieut. Colo. John Girault—
Pickering County

To John Marshall.

No. 44. Mississippi Territory
January 26th— 1801

Sir,

I take leave most Respectfully to Repeat solicitations for the opinion of the Attorney General upon the Statement made by this Territorial Attorney of a Claim exhibited against the Villa

[1] The center of discontent against the Sargent administration was in Pickering County, the home of Cato West.

Gayoso *which* was surrendered to the United States by the Spanish Government, and which Business will be at issue in our Supreme Court of April next— Delay may operate injuriously to the interests of the United States—Duplicates of all the Papers in Point have been transmitted to the Department of State.

I have the honour to be,
Sir,
your obedient,
humble servant,
(Signed) Winthrop Sargent.

The Honourable Secretary of State

Revoking Commissions of a Justice of Peace
and
Lieutenant of Militia.

His Excellency the Governour was pleased to Revoke and annul the Commissions of Justice of Peace and Lieutenant of Militia in the County of Adams, heretofore Granted to Hugh Davis Esquire, by an Instrument under his hand and the Seal of the Territory, in the Words following Viz.

By WINTHROP SARGENT
Governour and Commander in Chief of the Militia
of the Mississippi Territory.

To the Justices of the honourable Court of General Quarter Sessions of the Peace Adams County the Commandant of the Militia and all others whom it may concern.

BE IT KNOWN, that I have thought proper by these presents to Revoke the Commissions of a Justice of the Peace and Lieutenant of Militia heretofore granted unto Mr. Hugh Davis, it having sufficiently appeared unto me, that a Presentment of the Grand Inquest at the last October Term of the Supreme Court in Adams County, is so well founded, as to implicate him in the

Violation of most Solemn Official Duties,[1] and under his Continuance in office, Civil or Military, incompatible with the Dignity of Government, and the due Execution of the Statutes of this Territory.

Given under my hand and the Public Seal January the
[*L. S.*] thirtieth Anno Domini One Thousand eight Hundred and One—

(Signed) Winthrop Sargent

To James Madison.

No. 45- Mississippi Territory
March 16th— 1801

Sir

I have this Day taken leave to draw upon you in favour of Major Minor for the services of an Indian Interpreter to the amount of two hundred sixtytwo Dollars and ½ the account is herein enclosed, and in my opinion justly due— the Conduct of his Attorney in making an Extravigant Charge and Commencing an action against me to recover the same (which the Major Caused to be dismissed) has delayed an adjustment of this Business *upon which* I had the honour to address the Department of War the 14th— of May in the last Year.

By the same Conveyance I solicited Instruction upon the subject of Continuing in pay an Interpreter, and which I have not yet had the Satisfaction to Receive.

I have the honour to be,
Sir,
Respectfully,
your obedient humble servant,
(Signed) Winthrop Sargent.

The Honourable Secrtary of State.

[1] Hugh Davis had been indicted, for defacing a public record, by a grand jury of the Supreme Court, October term, 1800.

To James Madison.

No.. 46 Mississippi Territory
March 21st.. 1801

Sir,

For the amount of the enclosed account I have taken leave to draw a Bill in favour of Mr.. Green of this date which I Request may be honoured,

I am
Sir
very Respectfully
your obedient humble servant
(Signed) Winthrop Sargent

The Honourable Secretary of State

Appointment and Promotion of Various Officers.

His Excellency the Governor was pleased to Promote Captain David Ferguson to the Rank of Major— Lieutenants William McIntosh and John Minor, to the Rank of Captain—Cornets John Lintot and John Binghaman to the Rank of Lieutenant, and to appoint Robert Moore, and Joseph W. A. Lloyd Gentlemen Cornets in the Militia of the County of Adams, to each of whom according to their Several Grades he granted Commissions in the usual form dated dated the 20th.. of March 1801.

He was also pleased to appoint Samuel Brooks Esquire a Justice of the Peace and Judge of the Court of Probate (vice William Dunbar Esquire Resigned) for the County of Adams, and granted to him Commissions accordingly, dated the 20th.. of March 1801.

He was also pleased to appoint John Brooks Esquire Sheriff for the County of Pickering (vice William Ferguson deceased to whom he granted a Commission dated the 20th.. of March 1801.

He was pleased also to issue a Commission to Peter Walker Esquire (heretofore appointed Clerk of the Legislature) dated the 4th- of October 1799— and also to appoint and Commission him Keeper of the seal—dated the 20th- of March 1801

To John McKee.

Mississippi Territory
Evening of March 30th.. 1801

Sir

I this Moment Received your favour of the 21st.. instant, and in the next shall be upon my departure for the United States — Poor Franchemasatubbee, Sincerely do I regret the Death of this so universal Friend of the White People,

Your Motives for Charity to Chinnumbe the King of the Chickasaws are in my Opinion truly laudible, and so far as my Name and Approbation may be usefull to extend to him the Bounty of the United States you are at Liberty to use them.

You may freely Command my small Ability for services in the Atlantic States

Adieu

(Signed) Winthrop Sargent

Colo.. McKee,

To John Steele.

The Grove Plantation
April 1801

Dear Sir,

The Present Situation of my Health and some other important Considerations induce me to avail myself of a Permission of absence long since had from the President of the United States; The Duties in the Executive Department of Government will of course devolve upon you, and I hope and believe, that sober sense shall Continue gaining ground of the Thorns and briers which have been so Mischievously Planted in the Path of the Governour.

I embrace in Duty and in pleasure the present Occasion of Expressing my intire Satisfaction in the Discharge of your Official Trusts—As a due tribute to your Zeal and Promptitude in service and to promote the Public Weal, I should add much more, but that Eulogium under the *Present Circumstances* of Calumny and Reproach might operate in an inverse Ratio to my Estimation of your Worth and of your Talents.

With very sincere Esteem,
I am your friend and
humble servant
(Signed) Winthrop Sargent

Colonel — Steele.

Samuel Hancock Esquire was on the second of April appointed a Justice of the Peace and Cornet of Militia in the County of Adams, and the Governor Granted to him Commissions accordingly dated the thirtyfirst of March 1801.

To James Madison.

Mississippi Territory
April 3d. 1801

Sir

The Honourable Colonel Pickering when Secretary of State was kind enough to obtain the Presidents Permission that I might be a short time absent from this Government when the same should have been Organized and peace established for the United States.

The late Ratification of the Treaty with France, authorized me to avail myself of this Indulgence, and which the Present State of my Health, impaired by long service in all the Extremes and Vicissitudes of United States Climate, pressingly demands I should embrace without delay.

Since the Commencement of the Revolutionary War, I have been almost always upon Public Duty— and from the early part of ninety six, attentions thereto have been unremitted— those Considerations I trust may Justify me in Embracing the leave of absence had from President Adams.

I propose to embark for the Atlantic States in the present month and shall take the very earliest opportunity to pay my Respects to you sir— And if I may be so permitted to the President of the United States also.

The mighty Obloquy cast upon my Reputation I hope may not deprive me of this honour— I yet know not the Result of Mr. Davis's Motion upon my Official Conduct— *they* have no doubt made unfavourable impressions.

That Member of the Honourable house of Representatives and his Colleague Mr. Claiborne I could *indeed* wish to believe have been Influenced by no improper— No impure motives, but if they have not been very grossly deceived they have most Certainly been so imposed upon.

I take leave sir, to enclose to the Department of State some very strong Testimony in Point— Attestations from the most

Respectable people of this Territory, and which I solicit you would do me the favour to lay before the Supreme Executive in Reparation of my wounded Character,[1]

With great Respect I have the
honour to be,
Sir,
your Obedient
Humble servant
(Signed) Winthrop Sargent

Hourable Secretary of State,—

[1] Governor Sargent left the Territory, by way of New Orleans, soon after the above letter was written. He went immediately to Washington, his term having expired, for the purpose of defending his administration. President Jefferson, through Secretary Madison, sent him the following letter: "That from the various, and some of them delicate, considerations which mingled themselves with the designation of the individual for the government of the Mississippi Territory, it was expedient, in his judgment, to fill the station with another than himself, whose administration, with whatever meritorious intentions conducted, had not been so fortunate as to secure the general harmony, and the mutual attachment, between the people and the public functionaries so particularly necessary for the prosperity and happiness of an infant establishment." William Charles Cole Claiborne was appointed Governor of Mississippi Territory May 25, 1801.

PART II.

Executive Journal of William Charles Cole Claiborne, Second Governor of Mississippi Territory, July 10, 1801, to March 27, 1803.

William C. C. Claiborne

Photographic facsimile from the oil painting in the possession of W. C. C. Claiborne, New Orleans.

WILLIAM CHARLES COLE CLAIBORNE.

Second Governor of Mississippi Territory.

By Dunbar Rowland.

William Charles Cole Claiborne was born in Sussex County, Virginia, in 1775, and was the second son of Col. William Claiborne and Mary (Leigh) Claiborne. The Claiborne family in America was founded by William Claiborne, who emigrated from England as surveyor of the plantations of Virginia by appointment of the London Company. He was a younger son of a distinguished family of Westmoreland County, England, and arrived at Jamestown in October, 1621. On March 4, 1625, he was commissioned by Charles I. as a member of the Council and Secretary of State for the Colony of Virginia.

During the American Revolution the Claibornes were found fighting for liberty on the side of the colonies. Descended from such ancestry, and born at the outbreak of the Revolution, it is not strange that William C. C. Claiborne was a patriot. Nathaniel H. Claiborne, his younger brother, who for twenty years was a member of Congress from Virginia, in his "Notes on the War of 1812," in which appears an interesting biography of Governor Claiborne, says that at the age of eight years he wrote in his Latin grammar the motto, "*Cara patria, carior libertas—ubi est libertas, ibi est mea patria*," "Dear my country, dearer liberty—where liberty is, there is my country." He was sent to Richmond Academy under the instruction of Eldridge Harris, and aftewards to William and Mary, accompanied by his elder brother Ferdinand Leigh. He remained at the latter institution only a short time, leaving on account of a disagreement with one of the ushers. At the early age of fifteen he decided that it was necessary to support himself, on account of the misfortunes of his father, who had ruined his estate in the cause of his country.

At that time the seat of the National Government was at New York. Young Claiborne proceeded there, and sought a posi-

tion in the office of John Beckley, Clerk to the Congress, who looked with favor on the son of his native State. He was given employment as enrolling clerk and made himself useful in copying bills and resolutions for members of Congress. In 1790 he followed the Congress to Philadelphia, on its removal to that city. The young clerk soon attracted the notice of John Adams, Thomas Jefferson and John Sevier. Mr. Jefferson gave him access to his books, and Sevier advised him to study law and go to Tennessee. At a very early age Claiborne displayed decided oratorical ability, and at the age of fifteen delivered an original valedictory address on leaving school for New York. He joined the Polemic Society in Philadelphia, and found, at the age of seventeen, that he could sway an audience. At that early age he decided to follow Sevier's advice, and resigned his position to become a law student, going to Richmond for that purpose. With three months preparation he was admitted to the bar, and equipped with Blackstone and a copy of the revised statutes he went to Sullivan County, Tennessee, and offered his professional services to the people of that aspiring young Territory. Within two years he had gained the distinction of standing without a rival as an advocate at the criminal bar. In the first constitutional convention of Tennessee, which met at Knoxville, January 11, 1796, Claiborne was one of the leading members. At this time Gov. Blount is reported to have said of him, "He is, taking into consideration his age, the most extraordinary man of my acquaintance."

On the formation of the State government, he was appointed by Gov. John Sevier a Judge of the Supreme Court of law and equity. After a brief service he resigned to become a candidate for Congress and was elected in August, 1797, to the Fifth Congress. He took his seat November 23, 1797. During his first session he was a member of the Ways and Means Committee with Gallatin, Harper, Baldwin and Bayard, and chairman of the Com-

mittee on Indian Relations. He was re-elected to the Sixth Congress, and voted for Thomas Jefferson for President in the Jefferson-Burr contest.

President Jefferson appointed Mr. Claiborne Governor of Mississippi Territory May 25, 1801, to succeed Winthrop Sargent, whose term had expired. A short time before receiving his appointment he had been married to Eliza W. Lewis, of Nashville, Tenn. The young Governor at this time was only twenty-six years old. He had gained the confidence of Mr. Jefferson, who believed him endowed with that wisdom, tact, judgment and discretion which were so necessary in instilling in the minds of the people of the new territory a love for American institutions, at a time when great events were taking place in Louisiana between France and Spain.

On October 8, 1801, he left Nashville for his new post of duty, going by boat down the Cumberland, Ohio and Mississippi Rivers, and reaching Natchez November 23rd. The Legislature met a few days after his arrival, and one of his first official acts was a message to that body. A short time after he reported to Secretary Madison that all opposition to the General Assembly had practically ceased. The Governor made a good impression at once, and became very popular soon after his arrival. Among the Legislative acts of interest was the change of name of Pickering County to Jefferson, in honor of the new President. Two new counties were formed from Adams and Jefferson and named Wilkinson and Claiborne, in honor of Gen. Wilkinson and Gov. Claiborne. On the recommendation of the Governor the territorial capital was moved from Natchez to Washington by an Act passed by the Legislature and approved February 1, 1802. The term of John Steele as Secretary of the Territory expired May 7, 1802, and Cato West was appointed to succeed him March 1, 1803.

The want of military equipment in the territory gave Claiborne much uneasiness, and when the cession of Louisiana by Spain to France was assured, he applied to the Secretary of

War for one thousand rifles, and recommended the establishment of a well equipped military post, centrally located. His efforts resulted in the building of Fort Dearborn at Washington.

The election for Representatives in July, 1802, showed a reversal of popular favor, and a great majority of the old members were defeated. The people did not approve of the ridiculous effort which had been made to impeach Chief Justice Seth Lewis of the Territorial Supreme Court, who had incurred the displeasure of influential members who were litigants before the Court.

One of the most important acts of the Claiborne administration was the collection, for the general government, of data relative to Mississippi land titles, which were in a chaotic condition in the Territory. The report which he made to Secretary Madison was the foundation upon which Congress based future measures for the settlement of local land titles.

In his message to the Legislature October 3, 1803, Gov. Claiborne, on the subject of the Louisiana Purchase, says:

> "It is understood that by the late treaty between the United States and the First Counsul of the French Republic, and which remains only to be sanctioned by the constituted authorities of our country, the Island of Orleans is ceded to the United States, and the American Empire bounded by the western limits of the rich and extensive province of Louisiana— an accession of territory not obtained by conquest, not held by the precarious tenure of force, but acquired by honest purchase, and secured to us by the national faith of its former owner— an accession of territory essential to the welfare of the western country, and which, by increasing the means of reciprocal benefits, will render still stronger the chain which connects the great American family in the inestimable union of interest and affection—a union, which, I pray God, may exist coequal with time."

Some of the most notable events of the Claiborne administration were the establishment of Jefferson College; arrangements for settling land titles; the survey of boundaries of the Natchez and Mobile districts and the establishment of a mail route on the Natchez Trace, or Robinson Road.

The Governor received an express from Washington November 9, 1803, notifying him of his appointment by President

Jefferson as a Commissioner, associated with Gen. James Wilkinson, to receive from France the Louisiana Purchase, and to succeed the Spanish Governor until a government for the new territory should be established. He left Natchez in December with about two hundred Mississippi militia as a military escort. The two Commissioners met at Fort Adams and arrived within two miles of New Orleans, where they encamped December 17, 1803. Three days after Louisiana was transferred by Laussat, the representative of the French Republic, to the American Commissioners, and Claiborne at once assumed the government of the new possession. On September 26, 1804, he lost his wife and infant child. After the death of his first wife he married Clarissa Duralde, a French lady, and on her death married a Miss Bosque, a lady of Spanish descent, who survived him.

During the absence of Gov. Claiborne from the Mississippi Territory the duties of the executive office devolved upon Secretary Cato West.

Claiborne continued to exercise the duties of Provisional Governor until October 2, 1804, when he was appointed Governor of the Territory of Orleans. He continued to serve until the admission of that Territory to the Union in 1812, when he was elected Governor of the new State. After serving two terms he was elected to the United States Senate from Louisiana, January 13, 1817. He did not live to take his seat in the Senate. He died November 3, 1817, and is buried in beautiful Metarie Cemetery, New Orleans. Gov. Claiborne died when he was on the threshold of a great national career at the age of forty-two. For seventeen years he had been one of the most potent figures in what was then the great Southwest.

For authorities on the life of Gov. Claiborne consult *Mississippi archives, Claiborne's "Mississippi," Martin's Gayarre's and Fortier's "Louisiana," and Claiborne's "Notes on the War of 1812."*

MISSISSIPPI

TERRITORIAL ARCHIVES.

1801-1803

Department of State:—
Washington, 10 July 1801

Commission.[1]

Sir,

The President of the United States— desirous of availing the public of your services as Governor of the Mississippi Territory, I have the honor of inclosing your Commission, and of expressing the sentiments of respect with which

I am, Sir,
your most obt Sert
James Madison

William C. C. Claiborne Esqr.

Thomas Jefferson, President of the United States of America, To all who shall see these presents, Greeting :—

WHEREAS the office of Governor in and over the Mississippi Territory is at present vacant; NOW KNOW YE, That reposing especial Trust and Confidence in the Patriotism, Integrity

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[1] Claiborne Journals from 1801 to 1816 are on file in the Mississippi Department of Archives and History. The collection is valuable and throws much light on local Spanish and French relations.

[From April 1 to November 23, 1801, the time which elapsed between the departure of Gov. Sargent from, and the arrival of Gov. Claiborne in, the Territory, Secretary John Steele was in charge as acting governor. However, on account of Secretary Steele's infirm health, little official business was transacted; and no record for that period has been found.]

and Ability of William C. C. Claiborne, of Tennessee, I do appoint him Governor in and over the said Mississippi Territory; and do authorize and impower him to execute and fulfil the Duties of that office according to Law; and to Have & to Hold the said office with all the Powers, Priveleges and Emoluments to the same of Right appertaining during the pleasure of the President of the United States for the time being, and until the end of the next Session of the Senate of the United States, and no longer.[1]

In Testimony whereof, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

Given under my Hand at the City of Washington the
(Seal) Twenty fifth day of May in the year of our Lord one thousand Eight hundred and one, and of the Independence of the United States of America, the Twenty fifth.

Thos- Jefferson

By the President
James Madison Secretary of State.

To James Madison,

Nashville August 2nd— 1801-

Sir,

Your Letter of the 10th ultimo, enclosing a Commission as Governor of the Mississippi Territory, I have had the honor to receive.—

Will you be good enough Sir, to inform the President of the United States, that I shall accept the *appointment*, which he has been pleased to confer upon me, and will endeavor to merit *it*, by a faithful discharge of those Duties which now are, or may hereafter be assigned to me.—

I am aware of the difficulty of the *task*, I am about to undertake;—I feel my inability to execute it with Justice;— But I

[1] Appointed during a recess of the Senate.

flatter myself, that my best exertions to support the Interests of the United States, and to promote the immediate happiness of the People, over whom, I am to preside, will not prove unsuccessful.—

I shall repair to the Territory with all possible Dispatch, but the probability is, that it will not be in my power, to complete the Arrangements necessary to my departure, previous to the last of next month, or the first of October;— If therefore you should think proper, to make me any further Communications, in a short period, you will be pleased to forward them to this Town. — I have the honor to be

Sir,

With every sentiment of Esteem & Respect

Your Mot: Obt: Servt—

William C. C. Claiborne

The Honble- James Madison
Secretary of State.—

To James Madison,

Knoxville, September 16th- 1801.

Sir,

My Letter of the 2nd— of August, informed you that I should descend the Mississippi, some time about the last of this, or the beginning of next month;— I have now the pleasure to add, that the arrangements necessary to my departure, are nearly completed, and I shall certainly set out for my Government, in the Course of the first week in October.—It is to me a subject of regret, that I have not been enabled, at an earlier period, to proceed to my post, but I flatter myself, the public service has not as yet, sustained injury by my absence.—

Information which I have lately received from the Mississippi Territory represents, that affairs in that quarter wear a favora-

ble aspect;—the public mind is tranquil, and Party Spirit considerably subsided;— The District increasing rapidly in population & wealth, and the most perfect harmony prevailing with the Spanish & Indian Neighbors.—

You could not confer on me Sir, a greater favor, than by giving me from time to time, particular Instructions relative to the Policy the Executive would wish to be pursued on our Southwestern Frontier; such Instructions shall always be executed, with promptitude, & pleasure, and my constant care shall be to forward the views, and promote the Interest of Government —

In eight or ten days, I shall leave this place for my seat near Nashville, & shall from thence, without delay, proceed with my family, by water, to the Town of Natchez, where I expect to arrive between the 1st— & 10th— of November.—

Accept I pray you Sir, assurances of my very sincere & respectful attachment.—

I have the honor to be &c

(Signed) William C. C. Claiborne.

The Honble- James Madison
Secretary of State.

To James Madison, Secretary of State.

Nashville October 7th 1801.-

Sir,

On Tomorrow I shall certainly set out for the Mississippi Territory— The Western Rivers are uncommonly low, and I anticipate a long voyage, but I shall make every exertion to reach the Town of Natchez by the 10th of November.—

The Territorial Assembly was convened (by a Proclamation of Secretary Steele [1]) on the 3rd Monday in July last; they con-

[1] Secretary John Steele was Acting Governor from April 3 to November 23, 1801, but severe illness prevented close attention to official duties.

tinued in Session (as I am advised) about five weeks, but transacted little Business, and what they did, is left incompleat for want of the Governor's Sanction, Colo Steele having been too much indisposed, to attend to his Official Duties,— On the 16th of last month, Colo Steele was still ill, & his Life despaired of.—

In a Letter, which I have received from Judge Lewis,[1] dated "Near Natches September 3rd 1801" he says, "It seems to be confirmed that Spain has actually agreed to give up Louisiana to France."[2] I know not what grounds there are for this Report, but it has prevailed in this State for several months, and obtained general belief.—

On my arrival at Natches my communications shall be frequent & regular.—

I am &c.

William C. C. Claiborne.

To the Honble James Madison
Secretary of State

To James Madison,

Natchez November 24th 1801.—

Sir,

On the 8th of October, I left Nashville, & did not reach this place, until yesterday morning;— My passage has been unusually long; but I beg you to be assured that this delay, can alone be attributed to the low state of the Cumberland, Ohio, and Mississippi Rivers, for on my part, every exertion was made to hasten my arrival.—

I found the Navigation of the Mississippi somewhat difficult, and often dangerous, particularly when the wind was high, which is frequently the case, during the Fall and winter months.—

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[1] Judge Seth Lewis, of the Territorial Supreme Court.

[2] Secret treaty of St. Ildefonso between France and Spain, October 1, 1800, confirmed March 21, 1801. It was feared that England would seize New Orleans if the treaty was made public.

Much of the Land on the Mississippi appeared to me, to be fertile, and pretty well adapted to Cultivation;—But this extensive Country has been greatly forsaken, or rather neglected by man.— On the Western or Spanish shore, there are three little settlements between the mouth of the Ohio, and a small Post, opposite to Natchez, a distance of upwards of 800 miles; 70 miles below the mouth of Ohio, is a Spanish Village, called New Madrid— here I called a few minutes, and paid my respects in person, to the Commandant or Governor, who received me with great politeness; At this place I saw the Remains of a Fort, which had recently been destroyed by fire, a few soldiers, and about 60 Buildings; The Inhabitants were chiefly of French Extraction; I was informed, that a few miles from the Town, there was a compact and well improved settlement, the settlers mostly natives of the United States; I could not learn their numbers; 35 miles from New Madrid, there is another Village on the Bank of the Mississippi containing about 20 Houses; 150 Miles further, & opposite the lower Chiccasaw Bluff, is a small Block House; garrisoned by a Sarjeant and 12 men.—

On the Eastern or American side of the Mississippi, the only improvement, until I had reached the Walnut Hills (which are upwards of 700 Miles from the mouth of Ohio) was the Garrison at the Chiccasaw Bluffs, called Fort Pickering—

This Garrison has proved a great convenience and benefit to the Citizens who Navigate the River;— The officer commanding at that Post within 9 months past has afforded relief to several distressed Boats, and in some instances, his own exertions aided by his Company have rescued much valuable property from destruction;— This deserving Officer is a Captain Sparks of the 3rd Regiment;[1]— his truly benevolent & patriotic conduct has procured him, the Esteem of the Western Citizens, and will I am sure recommend him, to the President.—

[1] Claiborne's "Mississippi," pages 221, 222, gives interesting data relative to Col. Richard Sparks.

With great deference to the Judgment of the Executive, I will submit for consideration the expediency of establishing several other small Military Posts on the Mississippi; I suppose the Indians would not be averse to Establishments of that kind, and I am certain they would prove of great public utility.— The western commerce is already immensely valuable, and is becoming more so, every year;— The dangers and difficulties of the Mississippi, would be encountered with much more cheerfulness, & the loss of property, would not as frequently occur, if there were more Stations, where the Citizens in distress, might apply for succour, & his wants at least partially supplied.

Colonel Steele is still living, & his disorder has assumed of late, a favorable aspect;— He is however too much indisposed to attend to Business, or to give me much Information as to the State of the Territory;— on this account, I feel myself under some Embarrassment, from which I hope to be relieved, in a little time, by my own personal observations.—

A pamphlet[1] written by Governor Sargent (extracts from which you have no doubt seen in the papers) has reached this Territory, & is in general circulation; In this production, the *conduct* of the President in relation to Mr. Sargent is assailed with no less acrimony, than *that* of my own; personally it gives me no concern, but I regret exceedingly, that my appointment should have tended to increase the torrent of calumny against the Executive:—I believe this Pamphlet will have no effect in this quarter;— I shall endeavor by a just, firm and (as far as my Judgment will enable me) a wise administration, to convince the American World, that Mr. Sargent has greatly misrepresented my character.—

I am authorized to suppose, that the warmth of Party, has of late, considerably abated in this District, and that a very great majority of the people, are greatly disposed to give me their most cordial support.—

[1] Papers in Relation to the Official Conduct of Governor Sargent.

On Tuesday next, the Legislature of this Territory will commence its Session, and by the next mail you may expect from me, further communications.—In the mean time, Sir, you may depend upon my exertions to promote the prosperity and happiness of the People, & I am sanguine in a hope, that I shall be enabled to restore to this Infant settlement, Harmony & mutual Confidence. I have the honor to be Sir,

with great respect

your most Obd Humble Servt

William C. C. Claiborne.

The Hble James Madison

Secretary of State.

To James Madison.

Natchez December 12th 1801.—

Sir,

On the 1st Instant; the Legislature of this Territory convened,[1] and on the next day, I delivered an address to the two Houses of Assembly, a Copy of which together with their answer, you will find in the paper inclosed.—

From the little knowledge I have of this *Assembly*, I will hazard an opinion, that it is composed of honest men, much attached to the United States, and devoted to the Interests of this Territory.— For want of Legislative Experience, their early proceedings will, no doubt, be marked with some Irregularities, which I trust a little time, and attention, will greatly remedy.—

I have the happiness to acquaint you, that all opposition to the Second Grade of Government has (apparently) ceased, and that the Citizens generally seem contented with their political prospects.[2]—

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[1] First General Assembly, second session.

[2] This was a question upon which the people were much divided.

By the act of Congress authorizing the establishment of a Government in the Mississippi Territory, I find that the *Powers, duties* & Emoluments of a Superintendant of Indian affairs, for the Southern Department, shall be United with those of Governor:— I am solicitous that those *Powers* should be defined, and those duties prescribed; within the few days, which I have resided at this place, I have received many visits from the Chactaw Tribe of Indians, and the probability is that the number of those visits will increase, as I become better known; In some few Instances, where the public good seemed to justify the measure, I have ventured to direct the Contracter at Natchez to issue Rations to Indians;— A power of this kind, was exercised by my Predecessor, and was no doubt sanctioned by the Government.—

Upon looking over the official Letters of Mr. Sargent on record in the Secretary's office, I discover that he frequently mentioned the Embarrassment he experienced in the Indian Department,[1] and that some partial Instructions upon this *subject*, had been given him; the extent of which I cannot learn, since I find, that none of the communications from the Secretary of State, have been considered as public papers, and are not filed in the Office of the Secretary for Territory.—

The Chactaws from their contiguity to this settlement, are frequently troublesome, & often commit partial Depredations upon the Cattle &c of the Inhabitants;— At other times, they receive spirits from the Citizens, become intoxicated and are abusive & viciously inclined; from these sources disputes arise, and I am looked up to, as the Arbitrator; hence the necessity, that I should be furnished with an *Interpreter*, and feeling sensibly the want of a character of this kind, I hasten to solicit the permission of the President, to employ one.—

An incident lately happened at Natchez which I fear will be attended with unpleasant consequences— An Indian of some *little* note, among the Chactaws, was about 12 days ago in Natchez, and having drank too freely of *Spirits*, he in a little

[1] This matter had greatly troubled Gov. Sargent.

time became insolent, & was chastised with some severity by an unknown citizen— The Indian has ever since (the Evening he was whipped) been missing, and his *friends* suppose him dead; they have visited me, on the occasion; I have taken all the means in my power to have the Body of the Indian found if dead, or if living, to acquire intelligence of his person; but as yet no discoveries have been made.— The friends and Countrymen of the suppose deceased, seem much displeased, and threaten to retaliate; to keep those people in good humour, & to secure the Life of some innocent Citizen, I have subjected the United States to some little expence, and for the incurung of which, I hope, I shall stand excused.—

Colonel Steele, the Secretary of this Territory, still continues in a low State of health, and is unable to attend to business; this unfortunate circumstance has increased very considerably my official Labours.—

I am &c.—

William C. C. Claiborne

(The Honble James Madison
Secretary of State.—

An Address from the Governor of the Mississippi Territory to the two Houses of Assembly.—

Fellow Citizens of the Legislative Council, and fellow Citizens of the House of Representatives.—

Upon addressing you for the first time, in my character as Governor of this Territory, I feel my Breast disturbed with Emotions, which I can neither suppress, nor conceal.—

An Impression of the importance of the charge committed to me;— a distrust of the sufficiency of my Talents, to discharge

with propriety, the various duties, which may attach to this high Station;— A fear, least my best endeavors to advance the prosperity and happiness of the people, might not prove either successful, or satisfactory, have all conspired to excite in my mind, much painful anxiety.—

But under every Embarrassment which may await me, I shall experience great Relief; I shall possess that "greatest of consolations, conscious Rectitude," for I have formed a firm Resolution to exercise the authority vested in me, with all that Justice, decision and Impartiallity, which my best and most deliberate Reflections may dictate. If therefore, I should commit Errors, and they naturally attend all human Efforts, my Heart will acquit me of Blame;— those Errors will proceed alone, from defect of Judgment, and such a generous people will always be disposed to forgive & to forget.—

In the course of my administration, a strict adherence to the Federal Constitution, the Ordinance of Congress, for our particular Government, all existing Treaties and other Laws of the United States, shall constitute my primary Rule of conduct.

With the two Houses of the Legislature, I shall carefully cultivate the most perfect good understanding, & by endeavouring to deserve, I hope to be honored with their confidence & Esteem; All *Laws* essential to the welfare of our constitients, shall receive my most cheerful assent, & no exertions of mine, shall be wanting, to carry them into complete effect;— The policy of making ample provision, for the public Exigencies, shall always meet with my support, but on all occasions, I shall esteem it a duty to discountenance Extravagance, & to practise that great national *Virtue, Aeconomy*, a departure from which never fails to be accompanied with a dimnution of the general happiness.—

Fellow Citizens of the Council, and fellow Citizens of the House of Representatives. —

From the few days which have passed, since my arrival, it will not be presumed, that I am informed of those local In-

conveniences (if any there are) which may require Legislative Interference;— that I could be sufficiently acquainted with the operation of the existing Laws, to say, how far they are defective;— But your own observations on those points, I hope to find correct, and you may rely upon my cordial co-operation in all necessary measures.— There are some subjects however, to which, from their great importance to society, I cannot forbear soliciting your attention;— of these, the most interesting are our Judiciary & *Militia* Systems;—on a proper arrangement of the *one,* materially depends the security of our personal Rights;— with a due organization of the other, is intimately connected our safety as a people.—

As the Territory increases in population, the business, in the Judicial Department, will be proportionately enlarged, & such Provisions ought to be made from time to time, as will insure a prompt redress of wrongs, and a speedy recovery of all just demands; the people are intitled to Justice "in the most cheap, easy and expeditious manner, promptly & without delay, conformably to the Laws."— You will consider therefore, whether the present Judiciary System admits of improvement; The Legislature is vested with the Authority, to prescribe "the powers and duties of Magistrates and other Civil officers," and to make "Laws in all cases for the good Government of the District, not repugnant to the principles & articles of the Ordinance."—

With respect to the Militia, it is certainly an object of very great concern;— A free people ought to be well armed, well disciplined, and at all times in a situation to defend their Country; a preparation of this kind, is the surest guarantee of peace, and a certain source of safety in time of War.— To form an energetic and efficient Militia, much attention and care are requisite on the part of the Government.—The operation of a *Law* upon this Subject, ought to be general, and strictly enforced; *Its* provisions should embrace (with a few exceptions,) all men

whom age or infirmities do not incapacitate from bodily Exertions;— Many exemptions from Militia service, are not only injurious to the Institution, but very unjust;— By the Social Compact, every able bodied Man, is bound to perform personally, his proportion of Military duty for the defence of the State.— The public convenience may justify a dispensation with this obligation, as it respects some of the principal civil officers, and perhaps some religious Sects, who being conscientiously scrupulous of bearing Arms, their personal service might not be as advantageous to the Territory, as an Equivalent in Money. —

Fellow Citizens of the Council, and fellow Citizens of the House of Representatives.—

Under the smiles of a benefi*cial* Providence, I indulge a pleasing hope, that our Constituents will enjoy a great share of happiness and prosperity.—

Favored with a soil, so fertile as to reward abundantly the Industry of man, & a climate propitious to almost every production; so situated on the Map of America, that the rich commerce of the West, passes in review before us, and adds daily increase to our wealth; surely the Blessings of Independence and Plenty may be acquired by every Citizen! Possessing a temporary and local constitution founded on the Representative principle, and justifying an expectation that it will prove equal to the support of Good-order, and our common Interest; — In a particular manner too, placed (during our infant state) under the superintending care of that wise & virtuous Government, which I trust, will long dispense with an equal and liberal hand, Peace, Liberty and safety to all United America; surely we ought to consider our political felicity as greatly secured.— But those fair prospects will all be destroyed, unless aided by just and equal Laws, and those supported by a virtuous people.—

If indolent and viscious habits, Luxury and extravagance should become prevalent in our society; the depression of the many, and the aggrandisement of the few, will eventually ensue: — If the Citizens should attach little value, to that first privilege

of freemen, the Right of suffirage, and elect to office men, in whose characters, Integrity, Love of Country, and of Civil and religious Liberty, are not eminently conspicuous; then Legislation may become a source of oppression! and lastly! when Party Spirit, that Bane to happiness, gains an ascendency in our Land, and those civil dissensions are fostered, which enslave the mind, and enable passion to triumph over Reason; then there can exist, no certain security, and the best Interests of Man will be put to hazard.—

But those misfortunes will never befall this Territory; I hope that the great Governor of the Universe, has decreed for this people, the happiest of Destinies.—

Let us then with great humility and Gratitude to Almighty God, the Author of all Good, cultivate and improve those Blessings which are so liberally extended to us:— In the pursuit of Agriculture, Commerce, Manufacturies & the Arts, let every person be equally protected and in proportion to his merit respected:— In the support of Order, the promotion of Morality, and the suppression of Vice, let us all unite, and enrich Society with the charms of harmony and Concord.— While we feel and manifest our attachment to the Union, with the Mother States, let us impress the advantages of that Union, upon the minds of our children, and by rearing them up in the paths of Virtue and Science, enable them the better, to appreciate the excellencies of a free Government, and to bcome useful to themselvs and Country.—

William C. C. Claiborne.

Natchez December 2nd 1801—

To the above Address the Assembly returned the following Answer.—

To His Excellency William C. C. Claiborne Governor of the Mississippi Territory.

Sir,

Your Address delivered to both Houses of the General Assembly on Tuesday last, was received with the highest satisfaction;

— The sentiments you then expressed, are truly becoming the republican character; and the Governor of a free people— and which we are convinced will be manifested, throughout the course of your administration.—

The importance of the trust reposed in you as Governor, is great;— But from the ample resources of your mind, and your vigilent attention to business we trust you will be enabled, to discharge with credit to yourself and satisfaction to the people, the arduous duties of your high Station.—

Your determination of a strict adherence to the Federal Constitution, Treaties, and Laws of the United States, we highly approve and in which you may rely on our co-operation and support.—

We reciprocate Sir, your disposition to cultivate a good understanding with the two Houses of Legislature;— and permit us to assure you, that you are received by them as the Patron and friend of our Country;—and that their confidence & esteem is proportionably to your superior merit.—

The Legislature may in the course of their deliberations be incorrect, but with the aid of a Governor well disposed and eminently qualified we may fairly presume to hope no material injury can arise to the community from their inadvertences.—

We think with you Sir, that it will be the duty of the Governor to practise Aeconomy and from which we trust the Legislative Authority of the Mississippi Territory will never deviate.—

Since your arrival Sir, it is impossible you could be informed of all the local inconveniences which require Legislative interference;— But those inconveniences are numerous and many of them extremely oppressive, and these which can only be known to you in theory, have been severely felt by the Citizens in experience.—

One evidence of the Laws being defective is that the political situation of the Country, in every view is much worse than before their publication.—

The Legislature are very sensible of the great importance

of the Subjects to which you have solicited their attention and foresee the consequences of delay.—

We do most heartily and sincerely unite with you in gratitude to Almighty God, the Author of all Good, for the blessings you have enumerated, so liberally bestowed to the People of this Country.—

We entirely coincide with you in all matters respecting our internal Peace and tranquility which we flatter ourselves we shall enjoy under your administration from a gracious and indiscriminate pratronage extended to all good Citizens, which will shelter us from the baneful influence of party Spirit, and every device that may disturb our repose.—

Permit us, Sir, to repeat the assurances of our confidence and esteem.— And accept our best wishes for your personal happiness and prosperity. —

Henry Hunter,
Speaker of the House of Representatives.
John Ellis
President of the Council

Natchez,
December 4th 1801—

From Benjamin Hawkins[1] *to Gov. Claiborne.*

A Letter from Colo: Benjamin Hawkins to the *Governor of the Mississippi Territory.*

Fort Adams 10th Decr 1801-

Mr. Dunbar[2] arrived last evening and delivered me your favor of the 4th instant.— The Indians have been a long while on the path & we have now with us a respectable representation of the Chactaws; and shall continue our conference with them in 2 or 3 days—

[1] Agent to the Creek Indians. For historical sketch of this remarkable pioneer see Chappell's "Miscellanies of Georgia," pages 59-73.
[2] William Dunbar.

It is my duty to lay the enclosed before you, for your information, that you may take such measures as you may deem proper in relation thereto— It is much to be wished that the people of this Territory could be prevailed on to observe a friendly deportment towards the Indians particularly on occasions like the present; as all intecourse by land between us and the Atlantic States is through the Indian Lands a disposition on their part unfriendly towards travellers would greatly incommode them; and we have a right to expect the improper conduct detailed to you if not timely checked will tend to generate such a disposition.— The case of the man supposed to be murdered should be examined into in usual form & a candid statement made of it to the agent accompanied only with general assurances of a disposition friendly to Indians and a determination to exercise the full force of your authority to bring the offender to justice; — This will be highly satisfactory to the Chiefs. —

I am not very well, having caught a cold— I shall write your again if any thing interesting occurs.—

I have the honor to be with sincere
regard and much esteem
Dear Sir,
Your Obd Sert-

Benjamin Hawkins.

The bearer is the brother to
the man supposed to be murdered
he speaks English.—

From John McKee to Benjamin Hawkins.

Loftus Heights Decr 9th 1801-

Lewis Vaun, a half breed Chactaw states to me from information given him by a frenchman of Natchez, that on or about the 26th day of last month his brother Samuel Vaun was in the town of Natchez where he was seen in the evening in company of

a Chactaw, both intoxicated and quarreling; they separated in the street and Vaun as he walked along met a waggon or Cart on which he laid hold— the Carter advised him to go away least he might receive some injury from the cart, and was obliged at last to disengage him by force and push him away— he then went close to the Bluff, returned and was seen sitting in the street near a Hatter's shop where he had that day purchased a hat, and that he has not been seen or heard of since.—

Lewis Vaun has farther heard from a Chactaw that *he* was informed by a Negro belonging to a bald-headed white man living on Look, ye, a,hoo,la (supposed to be St. Catherine) that his brother Samuel was killed by a Negro;— He had with him two blankets, two hats, one piece of binding and twenty dollars.—

I take this opportunity of representing to you for the information of the Commissioners that many of the Chactaws now here have complained to me of ill treatment they say they have received from the white people on their way between Homo Chitto and Buffaloe, and to add my opinion that if such acts of violence do not meet a speedy and decided check they will inevitably lead to serious & deplorable Consequences.

With sincere respect & esteem

I have the honor to be,

Sir,

Your obedient Servant

John McKie

The Honble

Colo. Hawkins.

To Benjamin Hawkins.

The Governor returned to Colo: Hawkins' *Letter the following Answer.-*

Natchez December 14th 1801-

Dear Sir,

On the evening of the 12th Instant, I received by Lewis Vaun, your Communication of the 10th together with the Statement made to you by Colo: McKie.—

I am sorry that the conduct of any portion of the Citizens of this Territory, should have been such as to excite the displeasure of the Indians and as an evidence of my great solicitude to check for the future, similar acts of Imprudence, and to preserve a friendly understanding with our Indian Brethren, I have this day issued a Proclamation, of which the enclosed is a Copy;— Perhaps my caution to the People is not sufficiently strong, but in the course of my little experience of the disposition of Frontier Citizens, in relation to Indians, I have uniformly discovered, that the language of persuasion, and friendly advice was more likely to produce a happy effect than any threat of prosecution & punishment, which could be made.

The case of the man supposed to be murdered, has heretofore and will continue to receive my attention:— But the fate of the Indian missing continues so uncertain, and the proof of real Violence having been offered his person so deficient, that it is not in my power as yet, to take any efficient measures.—

In a conference which I have had with Lewis Vaun the brother of the supposed deceased I have with great sincerity given him the fullest assurance that all proper exertions shall be made by me, to discover and punish the guilty person, if a murder has actually been Committed; early next Spring, Lewis Vaun has promised to pay me another visit and in the mean time, he has pledged his word "that his heart shall be straight." —

With best wishes for a speedy recovery of your health, and the Complete Success of your Mission[1]— I remain with great respect & sincere Esteem

Your most obd: hble: servt.

William C. C. Claiborne

Colo: Benjamin Hawkins.—

[1] Treaty with Choctaws at Fort Adams December 17, 1801, Laws of U. S., 344.

By his Excellency William C. C. Claiborne Governor and Commander in Chief in and over the Mississippi Territory.—

A PROCLAMATION.—

Whereas I have received Official Information, that many of the Chactaw Indians who are now attending the Treaty at Fort Adams, are much dissatisfied in consequence of certain "Ill treatment, which they report to have received (while on their Journey) from the white People residing between Homo Chitto and Buffaloe";— And whereas a repetition of such treatment, might generate Ill-Will, and eventually interrupt that friendly understanding which exists between the United States, and the Chactaw Nation, I have thought proper to issue this my Proclamation, hereby earnestly exhorting and requiring all and singular the citizens of this Territory, to refrain from all manner of Offence and violence against all and singular the Indians, who may be going to, or returning from the Treaty aforesaid, or who at any time hereafter, may in a peaceable manner, be passing through the settlements of this Territory.—

I am well aware that the good people of this District are subjected to some inconvenience from Indian Visits, and which of late, are so frequent, as to become burthensome;— But the Object, for the attainment of which, the Chactaws have been invited from their own Country, being of great importance to the United States, I trust that every good Citizen will Cheerfully submit to a temporary Inconvenience, and on all occasions cautiously avoid every Act which might prevent the Complete success of the Negociation, or disturb that friendship with our Indian Brethren, which enables the Traveller in the Wilderness to sleep secure, and the Farmer on the Frontier, to cultivate his field in safety.—

Given under my hand, & the Seal of the Territory near Natchez, on the fourteenth day of December; one thousand eight hundred & one, and in the twenty sixth year of American Independence.—

William C. C. Claiborne.

By his Excellency's Command
John Steele, Secretary

On the 18th.. of December, the Governor issued the following Proclamation.—

By his excellency William C. C. Claiborne Governor and commander in Chief in & over the Mississippi Territory.—

A PROCLAMATION—

Whereas the Legislative Council, & House of Representatives of this Territory were by adjournment to have met in General Assembly, at the Town of Natchez in the Government House, on Monday the 14th.. day of the present Month; And whereas by an uncommon fall of Rain, which had raised the water Courses, and prevented all & singular the Members of the Council, and House of Representatives, from attending at the place, & on the day aforesaid;— And whereas doubts have arisen, whether or not by this event the Session of Assembly is not Closed, and cannot constitutionally be resumed, without the express Authority, and command of the Governor: Now therefore to quiet all doubts upon this subject, & to give *no ground*, for any person, who may be so disposed, to question the validity of the Acts of the present Assembly: I have thought proper to issue this my Proclamation, hereby requiring and Commanding the Members of the Legislative Council & those of the House of Representatives respectively, to met in General Assembly, at the Government House in the Town of Natchez, on Saturday the 19th— day of the present Month, at the hour of 10 O'clock in the forenoon—

Given under my hand, and the Seal of the Territory, near Natchez on this 18th day of December Anno Domini 1801, and in the (Twenty-) Sixth year of American Independence

(Seai) William C. C. Claiborne

By his Excellency's Command—

John Steele, Secretary—

To James Madison, Secretary of State.

Natchez December 20th.. 1801—

Dear Sir,

I have at this moment, been informed, that the Commissioners of the United States,[1] have concluded a Treaty (at Fort Adams) with the choctaw Nation; The Chiefs have consented to the Opening of a *Road*,[2] through their Lands to Tennessee, but refuse permission to erect houses of accommodation : I presume therefore, that this *work* will shortly be commenced, and when completed, will no doubt prove a great public convenience.—

The western commerce, the present and ensuing Year, will be infinitely more valuable, that it heretofore has been- great quantities of Flour & other articles of Export, have within these few days arrived at and passed by this Town, and the Mississippi presents daily a strong proof of the great increase of Industry, & wealth, among our Western fellow Citizens.—

In this Territory the labour of the Farmer will be liberally rewarded; our Staple commodity Cotton has been very productive, & meets with an immediate and lucrative Market.— I have heard it supposed by men whose opinions are entitled to respect, that the aggregate amount of the Sales of Cotton, raised the present year, in this District, will exceed 700,000 Dollars, which among a people, whose numbers (of all denominations)

[1] James Wilkinson, Benjamin Hawkins and Andrew Pickens.

[2] This road was laid out and was known as the "Natchez Trace" or "Robinson Road."

do not exceed nine thousand, is an immense Revenue;— The, fact is, that Labour here, is more valuable, than in any other part of the United States, and the industrial portion of the Citizens, are amassing great fortunes;— These are truths so generally admitted, that the former objection to the Second Grade of Government "the increased Expence,[1] & the Inability of the people to meet it" seems to be abandoned, and I hope will never again be revived.—

The Territorial Legislature, (who are still in Session) are engaged in the formation of a new Judiciary System;— The manner in which the Superior and Inferior Courts have heretofore been arranged, meets with general disapprobation, and there is certainly great Room for amendment;— But it is doubtful whether *such* will ultimately be made; unfortunately there is a great difference between the Judges of the Supreme Court, & the People; one half of the Citizens, & perhaps a *greater number*, have no confidence in the Judiciary; the Members of the two Houses of Assembly are among the most prejudiced, and I fear upon this *Subject* they will be inclined to Legislate *rather* against Men,[2] than upon principle; This is really an unpleasant State of things, and will not fail to be a source of much trouble to me.[3]— A late decision made by the Superior Court, for this Territory (and which probably will be found strictly legal) has given rise to much Complaint, and in a particular manner excites the sympathy of the Legislature.— Subsequent to the ratification of the Treaty with the United States and Spain, and shortly before this District, was evacuated by the Spaniards, the Spanish Governor General, & his agents granted to some of their Favorites, much valuable Land, and in order that the Grants upon Inspection, might appear legal, they were made to bear date, previous to the Treaty;— This kind of Conduct, is known to have

[1] The principal argument against the second grade of government.
[2] The outcome of political differences in the Sargent administration.
[3] Chief Justice Seth Lewis gives an interesting account of the war which was made on the Court by the Legislature, in his manuscript autobiography, which is on file in the Mississippi Department of Archives and History.

been practised, and indeed some persons who have been benefited by the *fraud,* are stated to me to have avowed *it.*—In some few instances, those fraudulent Grants were made for Lands, which had been previously bona fide granted, and in a case of this kind, where a suit has been brought, the holder of the fraudulent Grant, (which was eldest in date) obtained a Recovery:— In the Inferior Court, where the Case was first enquired into, parole Testimony was admitted to invalidate the antidated Grant, & the Defendant obtained a verdict; But upon an appeal to the Superior Court, the parole testimont was declared inadmissible, and of course the Plaintiff succeeded:— This case is thought a hard one, and the Legislature to afford a remedy, had it in contemplation, to pass a Law authorizing the admission of parole testimony, to invalidate certain Spanish Grants, but upon my intimating to some of the Members, that I could not for the present, assent to a measure of that kind, it has not been passed. — I am persuaded that the Spanish agents were guilty of the conduct; with which they are charged, & that in this way, much Land, which according to strict Right, ought to be considered vacant, has been granted,— But I do not know, how this business is to be remedied; A statute for the admission of parole Testimony to disprove a Record, would be a great Innovation upon the Laws of Evidence, and might lead to injurious Consequences, and yet I can see no other way, in which the frauds complained of can be guarded against, unless indeed, a Court of Chanchery would reach the case, and it seems to be the opinion of most of the Lawyers here that it would not.—

If this subject should be deemed of sufficient Importance; I should be happy to obtain your sentiments thereon.—I believe before the Rise of the Legislature, they will present me with a pretty strong Militia Law, & which is really much wanting in this Territory.— My Predecessor notwithstanding the exercise of great exertions, was unable to organize the Militia, and (except the regular Troops at Fort Adams) I found the Territory entirely defenceless.—

The Citizens are not armed, nor can suitable Arms I fear be procured in this District; It would add greatly to the security of this distant and exposed Frontier if the Executive would send to Natchez about four hundres Muskets, and as many Rifles, with directions, that they be sold at such price, as would reimburse the United States the original Cost.— Until the Militia of the Territory, are well armed & disciplined, my mind will not be tranquil; Bordering upon the Dominions of a Foreign Power, separated from the nearest State (Tennessee) by a wilderness of 600 miles in extent;— in the Neighbourhood of numerous Savage Tribes, and with a population of Negroes, nearly equal to the number of Whites:— There exists no certainty for Peace, & our best reliance for safety must depend upon a well armed & well trained Militia.—

The Spanish Government at New Orleans (from latest information) pays great respect to the commerce of the United States, and continues very friendly to the Americans who visit that Port. —

It is still reported that Louisiana & East & West Florida, are ceded to France, & in support of the truth of the Report that a Court of Chancery, would give relief against those Anti- it is stated that the Fortifications at New Orleans, were of late much neglected, and going fast to decay.[1]—

With great respect & sincere Esteem—

I am Dear Sir,

Your most Obd. Hble.. Servt—

William C. C. Claiborne.

The Hble— James Madison

Secretary of State—

[1] This letter appears at pages 222 and 223 of Claiborne's "Mississippi," but strange liberties are taken in quoting it.

To James Madison, Secretary of State.

Natchez January 8th.. 1802—

Sir,

Since my Letter of the 20th.. Ultimo, I have had nothing very interesting to communicate.—

The Territorial Legislature have not risen; they progress slowly in Business, but what *they* do transact, will I trust be marked with care & prudence.—

Political disquietude is nearly exiled from this Territory; among the people I can learn of no other discontent, but on the subject of the *Judiciary*, of which, I advised you in my last Letter; on this point, my best endeavours to remove distrust, & to excite Confidence, have failed of success;— It is to be lamented, that the Supreme Court for this Territory, should be so deficient in Law knowledge. — The Chief Justice Mr. Lewis is certainly a man of Talents, & was respectable as a Lawyer, but his Colleagues Messrs. Tilton & Bruin, (however amiable they may be in private Life) are generally supposed, not to be qualified for the offices they hold.— Mr. Bruin was (I believe) brought up as a Merchant and Mr. Tilton it is said some years ago read Law 12 or 18 months, but was never in the practice;— If either of those Gentlemen should resign, (and it is probable, that one of the two will in a short time) I sincerely hope that the vacancy may be filled with a character possessing good Law information.—

The Legislature have now under Consideration, a Bill to vest in the Superior Court, an equity jurisdiction; I believe myself dated Grants mentioned to you, in my Letter of the 20th— Ultimo;— These frauds have certainly been numerous, & if no way can be devised to discover & defeat them, much confusion, & wrong will (possibly) arise in this Government.—

The News of Peace in Europe,[1] reached this place on yesterday, by the way of New Orleans:— I congratulate you on this

[1] Treaty between England and France signed October 1, 1801.

great Event; it is interesting to the cause of humanity, & cannot fail to advance the happiness of mankind.—

Colo: Steele continues in bad health, and unable to attend to Business.—

Accept assurances of my great Respect & sincere Esteem—

I am, Sir,

your most obd: Hble: Servt.

William C. C. Claiborne

The Honble: James Madison

Secretary of State—

To Lewis Evans.

The Governor wrote the following Letter to Mr. Lewis Evans, on removing him from the office of Sheriff of Adams County.—

Natchez January 9th— 1802.

Sir,

Mr. David Ker is appointed your Successor as Sheriff for the County of Adams, and was this day sworn into office; you will therefore be good enough to deliver to Mr. Ker, any papers in your hands appertaining to the duty of *Sheriff* for Adams County, and condiser yourself no longer authorized to act in that *Character*.— It will be your duty also, to surrender to Mr. Ker any prisoners which you may have in charge, together with the Keys of the Jail, & such other public property, as may have been confided to our care.—

With great respect.

I am Sir,

your hble— Servt—

William C. C. Claiborne.

Mr. Lewis Evans. —

To William Vousdon.

The Governor wrote the following Letter to Mr. William Vousdon upon his declining to serve as Treasurer General.—

Near Natchez January 11th— 1802—

Sir,

I have received your Letter of the 9th Instant in which you express an Intention, not to accept the Commission of Treasurer General for this Territory—

I was very solicitous to have availed the Public of your services in so important an office, but the reason you assign for declining, is such, that I can no further press your acceptance, and must pray you, to receive my best wishes, for a speedy restoration of your health.—

With respect and Esteem.

I am Sir,

your most obd. Hble— Servt

William C. C. Claiborne

Treasurer General.

——— Abner Green Esquire, was on the 12th. January appointed by the Governor, Treasurer General.—

To James Madison.

Natchez January 20th— 1802—

Sir,

I take the liberty to enclose for your perusal, a Letter, which I this day received from Mr. Harding, the Attorney General of this District containing an interesting detail of the situation of some claims for Land in this Territory.—

A Judicial Decision, which was noticed in my Letter of the 20th— Ultimo, is the *one* alluded to by Mr. H, & if the Statement made by this Gentleman be correct, and I have now reason to believe that it is strictly so, it seems to me, that the legality of the opinion delivered by the Supreme Court may well be questioned.—

I must ask the favour of you, to lay Mr. Harding's Letter, before the Attorney General of the United States, and to request his opinion how *far* the antidated Spanish Grants may be considered as valid, & in what manner, it would be most advisable, to have them investigated;— The clamours of Citizens here, are great upon this subject, & their resentment much excited, at the Idea, that the Parties concerned in such frauds, should derive any benefit therefrom.—

The Peace in Europe, has greatly lessened the price of all Exports (except Cotton which continues high & in demand) at New Orleans, & I fear that many of the Western Citizens, who have lately adventured in the Mississippi Commerce, will sustain great loss. —

It was two days ago reported in this Town, that an Embargo was about to be laid upon American Vessels at Orleans, and the Commerce for the future, would be excluded that Port. —Although I gave no credit to so improbable an event, it became my duty to trace the report to its source, & am now authorized to suppose it entirely unfounded:— The Spanish Government however at Orleans, has of late, manifested some solicitude & uneasiness— the cause of this anxiety is not certainly known, but an American at Orleans conjectures that it proceeds from the cession of Louisiana to France, and the approach of French Troops to take possession of the District:— I hope & believe this conjecture will prove groundless, but it seems to be credited in this quarter.—

I have not had the honour of a communication from you since my arrival at Natchez.—

With the most respectful consideration,

I am Sir,

Your very Hble— Servant

William C. C. Claiborne

Hble..

James Madison

Secretary of State.—

To Thomas Jefferson, President of the United States.

Copy of a Letter from the Governor, to the *President of the United States.*—

Natchez January 21st. 1802—

Sir,

I have the honour to enclose you, an address from the House of Representatives of the Mississippi Territory,[1] & have the pleasure to add, that the sentiments it contains, are in unison with the feelings of a great Majority of the Citizens of this Territory.—

I am persuaded an opinion generally prevails in this District, that the Liberty, Peace, & safety of our Country, greatly depend upon the preservation of our present National Union, & free Government; and to give duration to such important Impressions, will be among the greatest objects of my public cares. —

With great Respect and sincere Esteem

I am Sir,

Your most obd: Hble.. Servant—

William C. C. Claiborne—

The Honble.. Thomas Jefferson

President of the U. States—

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[1] The address, with the reply of the President, are on file in the Department of Archives and History.

To Thomas Jefferson, President of the United States.

House of Representatives of the Mississippi Territory.—
January 20th. A.D. 1802—

Mr. West from the Committee appointed for that purpose, presented the Draft of an address to His Excellency the President of the United States, which being twice read, was unanimously adopted as follows.—To wit.—

An address from the House of Representatives of the Mississippi Territory to His Excellency Thomas Jefferson President of the United States.—

Sir,

In the course of a Long, Honourable, and useful Life, your Love for Mankind and their Rights, your Wisdom to discern, firmness to pursue, and solicitude to promote the true interests of the American Nation, have been eminently conspicuous, and while such virtues and Talents have attracted our admiration and Esteem, they could not fail to inspire a respect for, and a confidence in your Administration.—

In superintending the affairs of United America, and forwarding the welfare of your numerous constituents, we are fully assured that this Territory will occupy a due proportion of your care, and on all proper occasions, will receive the fostering support of the General Government.—

No part of the United States Sir, possesses more local advantages than this District and her advancement to prosperity, promises to be speedy and certain.— We acknowledge with gratitude, that under your paternal auspices, our prospects for political happiness have greatly brightened, and we anticipate with fondest expectation, the arrival of a period, when this Territory, mature in age, strong in population, and rich in resources, will add still greater security & confidence to the American Union & we flatter ourselves, that her present & future Legislators, will remain no less zealous & firm in the support of virtuous Rulers,

& virtuous measures than in a Strict adherence to constitutional provisions, & those republican principles, which the Patriots of Seventy Six, had the goodness to conceive, the boldness to avow, and the fortitude to maintain.—

WE PRAY ALMIGHTY GOD, to prosper your administration, & extend to a Life so valuable, the particular patronage of HEAVEN.—

(Signed) H. Hunter, Speaker of the house
of Representatives.

Resolved that the above address be transmitted by the Speaker, to Governor Claiborne, who is hereby requested to forward the same, to the President of the United States.—

Extract from the Journal
E. L. Harris, C. H. R.—

To James Madison.

Natchez 23rd.. January 1802—

Sir,

On the Evening before last, the message from the President, to the two Houses of Congress, at the opening of the Session, reached this Town;— The perusal of this interesting communication afforded me great pleasure, and I feel greatly solicitous for the adoption of the measures recommended.—

The state of this Territory, is not such as I could wish, nor is the prospect for unanimity in Society, as flattering as I had once anticipated: Some few domestic factions, & private parties still exist, & to lay this Evil Spirit, much time will (I fear) be required:— It is a pleasure however to me to know, that those parties were created before I came into the Government, & that I have firmness enough, to act independent of any of them, & virtue sufficient, to be just to all.—

The Legislature of the Territory continues in Session, but will probably adjourn in a few days;— with love of Country & honesty of intention this Body is amply supplied, but there is a deficiency in Legislative information, & experience, which occasions much embarrassment, & will I fear be attended with some public injury.

The Laws pas'd by the Governor & Judges under the first Grade of Goverment, were greatly defective, and most of them have been repealed;— The Legislature have adopted very nearly an entire new Code of Laws, and these also will (no doubt) be found imperfect, but I felicitate myself with a hope, that when put in practice, they will conduce more to the convenience, & protection of the people, than those, they have heretofore been accustomed to.—

A Law to prohibit the importation into the Territory, of Male Slaves, above the age of Sixteen, past the House of Representatives, but was rejected in the Council;— this kind of population, is becoming alarming, and will in all probability, (sooner or later) prove a source of much distress:— The culture of Cotton is so lucrative, and personal labor consequently so valuable, that common Negro Fellows will generally Command five hundred dollars per head, and if such encouragement should long be afforded, to the sellers of *Negroes,* this Territory must soon be overrun, by the most *abandoned of that unfortunate race.*—

I am making exertions to organize the Militia of this District;— but many obstacles present, the greatest of which are the want of arms and the means of obtaining a supply.—

I am Sir,

Your most obd. Servant —

William C. C. Claiborne.

The Honble..

James Madison

Secretary of State.—

To Bernard Lintot.

The Governor wrote the following Letter to Mr. Lintot, upon his resigning the office of Treasurer for the County of Adams.—

Natchez 28th. January 1802—

Sir;

Your Resignation of the Office, of Treasurer for the County of Adams is accepted and Mr. John Henderson is appointed your Successor, to whom you will be pleased to deliver the accounts, vouchers and other Documents relating to said Office.—

Conscious of your Official Talents & Integrity, I regret the loss of your services, but the reason you have assigned for retiring from public employment, is such, that I can no longer press your continuance.—

With a sincere wish for your
happiness in Life,
I am Sir,
with great respect
Your mo: obt. hble.. Servt—
William C. C. Claiborne

Mr. Bernard Lintot.—

To James Madison, Secretary of State.

Natchez February 5th— 1802.

Sir,

On the 29th.. Ultimo I addressed to General Wilkinson, who was then in this Neighbourhood, a Letter, a Copy of which together with his answer, are herewith enclosed you.—

I hope the request, I have made of the General, will not be deemed improper;— peace within & without at present, prevails in this Territory, but surrounded as it is, by numerous Indian Tribes, and with a population of Negroes, nearly equal to the

number of Whites, the continuance of that Peace, is certainly precarious, and it seemed to me advisable, to have the spare Arms at Fort Adams, placed in some situation, where, in the hour of danger, the Militia could be furnished with the means of defence.—

The erection of this Arsenal will be attended with no increased expence, to the United States;—the Houses will be erected by the men, and the use of the land upon which the Arsenal is placed, and the necessary timber shall be procured gratis.—

The Territorial Legislature closed their Session on the Second Instant;— their *acts* are not voluminous, but for the want of a good Printer at this Town, the Printing and Publishing *them* will probably be attended with great delay, trouble and expence: — The People already complain, that they are not informed of their Laws;— the fact is so, but it is not in my power to remedy the misfortune;— the only Printer in this Territory, (& by the by he is a novice in his profession) is employed upon high wages, to print the Laws;— the work is commenced, but from the want of Types, a good Press, & necessary assistance, *it* will not be completed for several months.—

I am surprised that some of the Northern Printers, do not turn their attention to this Territory;—I know of no part of the Union, where a Paper well conducted, would be more lucrative to the Editor, or greater advantage to Society.—

Mr. Sargent arrived a few days ago, & was friendly received, by those Gentlemen, who were most active in his support, while Governor:— Mr. Sargent has retired to his farm, and I have not yet been informed of any exertions on his part, to embarrass my administration. —A violent dispute has arisen between the two Houses of Assembly and Mr. Lewis the Chief Justice of this Territory who has many friends;— upon the Petition of some Citizens, the assembly authorized the taking of depositions, as to the Official conduct of the Judge, with a view, I suppose of exhibiting to Congress charges against the Judge, and to solicit his impeachment:— Here then is an occurrence, which has increased still

more, the flame of *party,* & rendered the restoration of entire harmony, to this Society, (for the present) without the reach of human Power.—

The Papers printed at Washington, for which I have subscribed, are so frequently lost or destroyed on the passage, by the Mail to this distant Settlement, that you will confer on me a great favor, if you would occasionally inclose me a paper which should contain any interesting information.—

With great respect,

I am Sir,

Your mo: obd: Hble— Servant

William C. C. Claiborne

The Hble.

James Madison

Secretary of State.—

To James Wilkinson.

Natchez 29th. January 1802—

Dear General,

The exposed situation of this Territory, and the causes which exist to apprehend danger from within & without;— the general want of arms among the Militia, & the feeble stand, which they would be enabled to make in the event of Indian hostilities or Insurrection among the Negroes, are facts which could not have escaped your notice.— I know indeed that the small detachment of Federal Troops on command in this quarter, would afford some succour, but much slaughter might (probably) ensue before this force could be brought to act and *it* could not give certain security without support from the Militia.—

Finding the Territory thus situated, I am induced to solicit you to erect a small Block-House, central to the population of the District as a place of deposit, for such spare Arms as may now

be lodged at Fort Adams, subject to my order & to the use of the Militia if occasion should demand.—

I do believe that an establishment of this kind would add greatly to the safety of the People, & I trust it may be made without injury to the public service:— A small Guard would only be necessary & a Subaltern's Command would be amply sufficient. — You know Sir, that Fort Adams is some distance from the populous settlements, and the spare Arms at that place would be of little service to the body of the Militia, in the event of a sudden attack.—

With respect & Esteem
I am Sir,
Your obd. Hble- Servant
William C. C. Claiborne

General
James Wilkinson

To Gov. Claiborne from James Wilkinson.

Natchez January 29th. 1802

I have received your Letter of the Day, & believing that nothing can be more agreeable to my Superiors, (in the disposal of the Military) than the promotion of the safety, and tranquillity of our Fellow Citizens, I shall with pleasure obey your requisition, by the Establishment of a small party, central to the population of the Territory, at such point as you may prefer, with 250 or 300 stand of Arms, subject to your Order— I never thought otherwise, than that our Troops were intended for the accommodation of the Civil authority, to be used or employed, as circumstances should render necessary, & therefore my judgment maintains the propriety, & expediency, of the measure you propose— I will however hope Sir, to prevent expense to the

public, that ground & Timber may be furnished for the necessary Cabbins free of cost.[1]—

With sincere respect & Esteem
I am Dear Sir,
Your Obd- Servant—
Jas. Wilkinson

His Excellency
Governor Claiborne —

To the Governor General of Louisiana.[2]

The Governor having received information (upon Oath) of a Robbery having been committed on the Mississippi, addressed the following Letter to the Governor General of Louisiana.—

Natchez February 10th— 1802.—

Sir,

From the friendly understanding, which happily exists between the United States, and his Catholic Majesty, I take the liberty to acquaint your Excellency, with a daring Robbery which has lately been committed upon some Citizens of the United States, who were descending the River Mississippi on their passage to this Town.—

The particulars of this transaction, are detailed in the papers enclosed, and to which, I beg leave to refer your Excellency;— It is indeed uncertain, whether the persons who were concerned in this act of Piracy, were Spanish subjects, but it seems, from the statements made, that the offence was committed more immediately, within the Jurisdiction of Spain. —

I have (by Letter) requested the officer commanding the United States Troops, at the lower Chickasaw- Bluffs, to make proper exertion to arrest those Pirates and Felons, if to be

[1] This correspondence led to the establishment of Fort Dearborn at the town of Washington, six miles east of Natchez.
[2] Manuel de Salcedo.

found upon the American soil, and I doubt not but your Excellency will on this occasion, issue the necessary orders to your officers on the Mississippi & Arkensaw Rivers.—

The safety of the Western Commerce, is greatly interesting to both the United States and Spain, and if prompt and decisive Efforts should not be made to detect, & punish those recent offenders, similar outrages upon the Mississippi, will probably ensue, and much injury may be done to the Citizens of the one and Subjects of the other Nation.—

I pray your Excellency, to be
assured of my perfect respect, &
consideration—

William C. C. Claiborne

His Excellency
The Governor General of Louisiana
At New Orleans.—

To Richard Sparks.

Natchez Feby. 10h. 1802.

Dear Sir,

The enclosed *extract* from a paper published in this Town, will acquaint you of a daring act of Piracy and Robbery which has lately been committed on the Mississippi, a little below the mouth of the Ausark River.—

I doubt not, but that you will exercise the necessary vigilance, and use all the exertions in your power, to detect the offenders; — It is possible they are making up the Mississippi and may call at Fort Pickering, and with a view to a discovery, I enclose you a list of the Articles Stolen.—

The Citizens who navigate the Mississippi, are frequently exposed to insult and injury, and I pray you to advise *all* who may stop at the Garrison, to observe caution on their passage &

to be prepared at all times to repel by force any attack which may be made upon their persons or Property.—

With great respect & Esteem

I am Sir,

Your mo: obd: Hble— Servt

William C. C. Claiborne

Capt- Ricd: Sparks
Commag. officer
at Fort Pickering
on the Mississippi

To James Madison.

Near Natchez February 16th— 1802—

Sir,

Since my arrival in this Territory, my Letters to you have been frequent, and I trust they have been regularly received, but of this, I have no assurance, as no communications from the Department of State, have yet reached me.—

An election for members to the Territorial Legislature, will take place, in July next, and the People are already greatly agitated in canvassing the merits of rival candidates:— The opposition to the present members is warm, & will probably be successful;— In this quarter, popular fvaor is *uncommonly* fluctuating;— the population of the District, is composed of a very heterogenous mass, and their political principles & opinions are as different as the Customs & prejudices which prevail in the different States or Nations from whence they emigrated, and from this cause, (if no other existed) the acts of each succeeding Legislature, will be deemed exceptionable. —

That a decided Majority of the People of this Territory, are Americans in principles and attachments, I do verily believe But (to my great Mortification) there are persons here, on whose

Judgments and hearts, former habits have made unfortunate Impressions; favorable to Monarchy, and inimical to every Government that recognizes the Rights of Man.—

Several families from Kentucky, Tennessee and this Territory, have lately emigrated to the Province of Louisiana, (and it is feared that this example may be followed by others;—

The facility with which lands may be acquired under the *Spanish* authority, and the prevalence of an opinion that the subjects of Spain are exempt from taxation, are probably the principal Inducements to this abandonment of their Country.—

With respect —

I am Sir,

your hble— Servt—

William C. C. Claiborne

The Honble—

James Madison—

Secretary of State—

Petition to Gov. Claiborne for pardon of George Rapalge.

February 20th— 1802.

On this day, a petition signed by a number of the Citizens of the Territory, was presented to the Governor, praying that a pardon might be granted to George Rapalge, heretofore convicted of manslaughter, in the Supreme Court, & who after conviction, was bound in recognizance to appear in Court from day to day, until the sentence of the law against him was announced, *but* which he had failed to do. —

The Governor observed to the Bearer of the petition, that Rapalge, was a fugitive from Justice; had bid defiance to the Law, & was consequently an unfit object of mercy that no applications in his favour could be considered until he had surrendered himself into Custody. —

To James Ferrall,

The Governor wrote the following Letter to the Public Printer.[1]—

Near Natchez February 23rd— 1802—

Sir,

It is not in your power, to render me a greater favor, than by publishing with all possiblr dispatch, the Laws passed at the late Session of the Legislature.—

It is the duty of the Secretary for the Territory, to keep you regularly supplied with attested copies of the acts, & to examine from time to time, the proof sheets, & which duty, I am well assured, will be faithfully discharged.—

If there is any thing in my power to do, which will assist you, in the prosecution of the work, you will be pleased to mention it;— the People ought certainly, at an early period, to be made acquainted with the Laws, by *which* they are bound, and no one can regret more sincerely than myself, the delay which necessarily attends their Publication.—

I am Sir, with respect,

your Hble— Servt—

William C. C. Claiborne

James Ferrall Esqr—

Printer for the Territorial Legislature.

To Henry Hunter.

Near Natchez February 24th— 1802—

Sir,

I have received a Letter, Signed by a number of the Citizens of Pinckneyville, and its vicinity, in which they have tendered their services as a Volunteer Company of Infantry, accompanied

[1] First mention of a public printer, although Andrew Marschalk printed the Sargent laws.

with a wish, that certain Gentlemen, (who are named) may be appointed to command them.—

The Militia Law of the Territory, does not admit of any volunteer Corps, except one Company of Artillery in the Town of Natchez, and a Troop of Horse, in each County:— The meeting therefore of my fellow Citizens at Pinckneyville has been premature, and it is not in my power at this time, to forward their Wishes.—

I greatly admire the *motive*, which gave rise to the Pinckneyville association;— It is an *honourable* and *Laudable* Spirit, which I shall cherish with the most anxious care.—

A well regulated Militia, is certainly essential to the safety of the Territory;— But so desirable an *object* cannot be effected, without a zealous and firm co-operation, on the part of the People.—

With a view to conciliation, & to insure a prompt and cheerful attention to Military duty, I have determined to request the different Militia Companies, to nominate (by Election) such characters as they would wish me to Commission as Captains, Lieutenants, and Ensigns, and the probability is, that on these occasions, I shall uniformly (unless some very cogent Reason forbids) comply with the wishes of the People.—

The Law makes it the duty of the field Officers, in the different Counties, to lay out the bounds of Company Districts, & until this duty is performed, no Election for the nomination of Officers in the Infantry, will be regular.—

I did on yesterday, appoint & Commission John Ellis, Colonel & Richard Butler, Major of the Wilkinson Militia, & they shall receive orders to proceed (without delay) to prescribe the bounds of Company Districts, in Wilkinson County, and to fix a time & place for the Citizens within the Limits of each Company, to meet & nominate their Officers.—

Will you inform the Citizens of Pinckneyville & its vicinity, that I hold them, in high estimation, & shall take much pleasure, in promoting their happiness & welfare.—

I am &c—

(Signed) William C. C. Claiborne

Colo. Henry Hunter—

Governor's Address to the Freemen of the Territory.

An Address from the Governor and Commander in Chief of the Mississippi Territory to the Freemen thereof.—

Fellow Citizens,

I solicit your attention to a subject inseparably connected with your most precious Interests.— In your patriotism and virtue, I fully confide, and I expect from you, a cheerful, firm, and zealous co-operation in the execution of a measure which is deemed essential to the welfare of the Territory, and the protection of the dearest rights of Man.—

The experience of ages, and of our own times, confirms the important truth, that the Yeomanry of a Country, should constitute its chief defence, against internal commotion, external violence, and that where this Sentiment is not fostered, Liberty must soon cease to dwell.

The Genius of *United America* has ever been averse to standing Armies, and the Wisdom of *her* Government, will not maintain a greater regular force than is sufficient to Garrison a few frontier Posts, and the most exposed of our Sea-port Towns;— For National security, the great Body of the Militia are confidently relied upon;— but to give effect (on our part) to this palladium of our Country's honor and safety, we must organize, arm & discipline those, who are liable to Militia duty, & for this purpose fellow Citizens, I claim your combined efforts, to carry

into strict execution, a Law recently passed by the Territorial Legislature for the occasion.—

Why should freemen consign to others, the protection of their Wives, their children, and their Country? With whom could trusts so sacred, be as safely deposited?—

A band of Citizen-Soldiers accustomed to the use of Arms, and trained in the principles of discepline, may combat with success a Veteran Army, long dedicated to war:— An old Corps indeed, might excel in patience and mechanical concert but the Citizen-Band animated by a love of their Country, and the recollection of their families, would be inspired with an enthusiastic ardour, which no danger can appal, & no barrier resist; —and Bunker's Hill & Gemappe afford ample testimony of the fact.

Although the great blessing of Peace, at present pervades our Land, yet in the progress of events, we know not how soon this tranquillity may be disturbed, and a wise people ought at all times be prepared, to assume "such an attitude in arms, as would forbid the Idea of invasion or usurpation."—

If we take an attentive view of our particular local situation, we shall find our infant society far removed from the limits of seasonable succour, from our Mother States, and exposed on all sides to perilous casualties.— Thus circumstanced every Eye must see, and every Breast must feel, the propriety, of establishing and acquiring the means of security & defence. The subject embraces every Man's Interest, and should unite every Hand & every Heart.—

For myself fellow Citizens I promise you that nothing shall be wanting which zeal and assiduity may compass, and whenever the Public good should require our services, it shall be my pride and my glory, to participate in all your toils, and all your dangers.—

William C. C. Claiborne

Near Natchez March 1st. 1802.-

March 2nd— 1802.

On this day the Governor assisted by the Treasurer General, examined the *accounts* of Bernard Lintot Esquire late Treasurer for the County of Adams & found the same to have been regularly kept, & the monies received justly accounted for.—

To Lyman Harding.

The Governor wrote the following Letter to Mr. Harding late Attorney General for the Territory.—

Near Natchez March 3rd. 1802.

Sir,

If Mr. Farrar, Mr. Conner or any other Persons have paid to you money on account of fines or forfeitures, you will be pleased to pay the amount to the Clerk of the Court where the forfeiture was incurred or the fine imposed & by the Clerk, the money will be paid over to the Treasurer General.—This is the only legal mode of proceeding & I am persuaded you will conform thereto;— Your claims against the Territory shall be duly examined, & so far as may depend upon my agency, Strict justice shall be observed in the settlement thereof;— I shall have no objection to assist the Treasurer in the examination of your accounts on Saturday next, provided the proper payment, shall previously have been made- to the Clerk.—

I am &c

William C. C. Claiborne

L. Harding Esquire—

To James Madison.

Near Natchez March 6th— 1802

Sir,

In my Letter of the 5th Ultimo, I advised you of a request which I had made of General Wilkinson "to erect a Block-

House, at some situation, central to the population of the Territory, as a place of Deposit for the spare arms at Fort Adams".—

I still think, that an establishment of this kind, will add greatly to the security of the District & I flatter myself, it will receive the approbation of the President.—

The organization of the Militia at present occupies much of my attention;— I find it an unpleasant & difficult undertaking— But I hope, I shall at least be (partially) successful.—

The approach of the Election of Members of the Territorial Legislature, has greatly increased the flame of Party, and the quietude of this little Society, is disturbed by party divisions, infinitely more rancorous than any I have ever witnessed in our Mother States;— "This Tempest of popular Passions" will probably rage with unabated fury, until the Elections are over, which will take place on the fourth Monday of July next, and then I hope for the return of a calm & happy political hemisphere.—

The Laws passed at the late Session of the Legislature, are yet in the press, as soon as they are printed, a copy shall be transmitted to you.—

Colo: Steele the Secretary for this Territory has recovered his health.—

With the greatest respect
& Esteem
I am Sir,
your mo: obt: Hum: Sert:
William C. C. Claiborne

The Honourable
The Secretary of State
for the United States

Passport to John Duhamel.

On the 9th of March, the Governor issued a Passport to Mr. John Duhamel a Citizen of the Territory, in the words following:—

By William C. C Claiborne, Governor and Commander in Chief of the Mississippi Territory of the United States.—

These are to request all States, Potentates & others, whom it may concern, to let Mr. John Duhamel a Citizen of the Territory aforesaid, going by Sea to Philadelphia, pass safely & freely without giving or permiting to be given to him, any hindrance, but on the contrary, affording to him, all aid and protection, as we would do in like case for those, who might be recommended to us.—

In testimony whereof, I have delivered to him, this Passport, signed by my own hand, with the seal of the Territory annexed, & dated near Natchez, on the 9th. of March A.D. 1802, & in the 26th. year of American Independence.—

William C. C. Claiborne

Seal By the Governor

(Signed John Steele Secretary.

To Gov. Claiborne from Gov. B. Williams of North Carolina.

On the 6th. of March, the Governor received the following Letter from his Excellency B. Williams, Governor &c of the State of North Carolina.—

State of North Carolina
Raleigh January 14th. 1802

Sir,

In compliance with a resolution of our General Assembly, passed at its late Session, an authenticated Copy of which, I do myself the honour to here enclose you, as well as the Copy

of a Bill of Indictment found by the Grand Jury for the District of Hillsborough at April Term 1798 against a certain Stockley Donelson & William Tyrrel charged with conspiracy, combination and confederacy against this State.—This Bill of Indictment has been prepared by our Clerk of the Superior Court for the District of Hillsborough is signed by him & accompanied by such solemn and usual Forms as shews its authenticity;— the said Stockley Donelson & William Tyrrell having fled from this State as it would appear with intention to elude the Justice thereof and as I am informed are one or both residing within the limits of the Territory over which you preside:— Pursuant therefore to an act of the United States Intituled "An Act respecting Fugitives from Justice & persons escaping from the service of their Masters" approved February 12— 1793. and in compliance with the resolution aforesaid, grounded on the before mentioned Bill of Indictment, I have to request that you will be pleased to cause the said Stockley Donelson and William Tyrrell to be arrested & imprisoned; & that you will further have the goodness to favor me with the earliest advice thereof for the purpose of taking the necessary measures to remove them to this State for trial.—

With respect & consideration
I have the honour to be your
Excellency's Most Obt-

His Excellency (Signed) B. Williams
William C. C. Claiborne.

To Hon. B. Williams, Governor of North Carolina.

Mississippi Territory Near Natchez. March 11th. 1802—

Sir,

I have the honour to acknowledge the Receipt of your communication of the 14th- of January last, together with the documents referred to.—

It is not probable that either of the fugitives from Justice whom your Excellency requests may be arrested are within the Limits of the Mississippi Territory.—

Upon enquiry, I cannot learn, that Stockley Donelson was ever in this Territory:—William Tyrrell was at Natchez about two years ago, & from thence (it is said) he emigrated to Pensacola, within the Spanish Dominions.—

Your Excellency however may be assured that if either or both of those Men, shall be found within the Limits of the Mississippi Territory, I will cause him or them, to be arrested and imprisoned & will embrace the earliest opportunity, to give you information thereof.—

With the most respectful consideration,
I have the honor to be
your Excellency's
Most obt. Humble: Servt.

His Excellency
B. Williams

William C. C. Claiborne

To John Henderson.

Near Natchez, March 18, 1802.

Sir,

Israel Waters a black man states to me that on his arrival in Adams County, he had a certificate or Evidence, of his freedom recorded, in the Recorder's Office, and that having lost the original, & being about to depart from the Territory, he wishes an attested Copy from the Record.— The New Law having assigned the Duties of the Recorder to the Clerk of the County Court, Mr. Walker would be the proper person, to give Israel Waters, the Instrument of writing which he wants, and for this purpose, I wish you to furnish Mr. Walker with the Book, in which the evidence of this man's freedom is recorded.—

Perhaps it will be most regular to surrender to the County Court, at its first meeting, all the Books & Papers of the Recorder's Office, but there can be no impropriety, in placing temporarily in Mr. Walker's possession any papers of which attested Copies may be desired.—

With respect &c

I am &c &c

Mr. John Henderson
Late Recorder for the
County of Adams

William C. C. Claiborne

To Peter Walker,

The Governor wrote the following Letter to Peter Walker Esquire, Clerk of the County Court for the County of Adams.—

Near Natchez March 18th— 1802—

Sir,

Israel Waters a black man, wishes an attested Copy, of a "Certificate or Evidence of his freedom" which he says was recorded in the late Recorder's Office for Adams County.—

The Duty of Recorder for Adams County is now assigned to you, by Law, and of course, you alone, can give Waters the Instrument of Writing, which he solicits.—

I have requested Mr. Henderson, to furnish you, with the necessary Record, & I presume he will do so upon application.—

With respect &c

I am &c

(Signed) William C. C. Claiborne

P.S. I suppose it would be most proper for Mr. Henderson, to make a general surrender of the Books and Papers of his late Office, to Adams County Court, at its first meeting, but in the

meantime Mr. Henderson will no doubt place temporarily in your possession any papers, of which Copies may be required.—

W. C. C. C.—

Peter Walker Esquire
Clerk of the County Court for
Adams County.—

To John McKee.

The Governor wrote the following Letter to Colo: John McKee agent for the United States in the Chactaw Nation.—

M. T. Near Natchez March 28th— 1802—

Sir,

On the night of the 14th- Instant a Negro Man the property of Mr. George Fitzgerald of this Territory, was murdered by some unknown Person. —

All the Circumstances attending this transaction which have been brought to light, you will find detailed in the enclosed Letter from Mr. Fitzgerald to the Attorney General.—

It seems that suspicion attaches to some Indians of the Chactaw Tribe, and with a view to a discovery, the clothes of the deceased Negro, which was supposed to have been taken away by the assassin, is particularly described:— I must solicit you to make some enquiries in the Nation, relative to this affair, and to acquaint me with the result.— The Indian visits to this District are frequent and oppressive;— they are encamped by dozens. in every Neighborhood & support themselves principally by depredations upon the Cattle Hogs &c &c of the Citizens;— I am convinced that the Chactaw Nation, must disapprove of such conduct on the part of any of their People, & it is my in-

tention by the next Mail, to forward to you an address to the Chiefs upon this subject.—

With respect & Esteem
I am Sir,
your Huble— Servt-
(Signed) William C. C. Claiborne

Colo: John McKee

To Gov. Claiborne from Gov. De Salcedo of Louisiana.

Copy of a Letter from the Governor General of the Province of Louisiana to the Governor of the Mississippi Territory.

New Orleans, February 28th— 1802—

Sir,

I have perused with the most lively sentiments your Letter of the 10th.. ultimo which I immediately caused to be translated, as also the Documents contained therein, in order to take the most effective means of ascertaining the enormity complained of and for the discovery of the Criminals

It is truly impossible to determine, whether the delinquents are Spaniards or Americans;— I see no reason why it ought to be more particularly charged to my Nation, because the Crime appears to have been committed near to a Spanish River,— those places are uninhabited, and for six or seven Spanish boats which go up to the settlements of the Illinois, there passes two hundred American Flats & Barges, which come from the States & Western Settlements; as they have the freedom and use of the Navigation of the Mississippi;— Vagabonds without number introduce themselves by that means, who have fled from, or who do not, or cannot return to the United States.—

It is impossible for me to do anything with this class of People without giving room for complaints, or my motives being

wrongly interpreted, because it is not the custom of the American Governments to give passports, as in Spain, when People travel from one place to another— only when the Flats arrive here the Patrons, owners and passengers present themselves; & even in that case, not without dificulty, as it were by force.—

Contrary to the strictest orders given throughout this province, many introduce themselves, to whom an asylum is given, either through humanity or Interest, & many go wandering through the woods until they penetrate to the Nation, where they remain to the great prejudice of both Governments.—

I have entered into this detail, because I have recently received Dispatchs from the Arkansaws, in which no mention is made of this affair, and I am certain that if any one of that District had been concerned in this piracy, they would have been discovered.— But it being for the General Interest that those Malefactors be discovered and punished, from which will result the greatest benefit as well to vassals of His Majesty, as to the Citizens of the United States;— I have given the most positive orders to the commanding Officer who is going up to that Post, to take the efficacious means of Discovering and apprehending the criminal or criminals, that can be adopted; & further to fix a small Garrison at the entry of the River St. Francis, for the Guard and protection of such as navigate in those parts:— & I do assure your Excellency that if they are taken, they will be punished in such a manner as to serve as an example to others.— I desire that your Excellency will furnish me with the means of manifesting to you my readiness to do whatever may be for your satisfaction, and I pray to God to Guard your Life many years.—

Your Excellency's &c

(Signed) *Manuel De Salcedo.*—

THE ANSWER.

Mississippi Territory Near
Natchez March 29th 1802-

Sir,

Your Letter of the 28th— Ultimo, in answer to my communication of the 10th— of February last, was received a few days ago; and has been read with the most respectful attention.— I accord with you in opinion, "that it is impossible to determine", by what People, the late Robbery on the Mississippi was committed, and in my Letter of the 10th— of February last, it was my intention, to have been sufficiently explicit on this point: — for so far from implicating more "particularly your Nation;" I did then admit " That it was indeed uncertain whether the Persons concerned in this act of Piracy & Robbery, were Spanish Subjects."—

I regret that the conduct of the Citizens of the United States, who trade to New Orleans, should prove a source of any Inconvenience or trouble, & I can assure your Excellency, that it is very much the wish of the American Government, that her Citizens should respect the Laws and Regulations of your Province.—

The existing Treaty between the United States, & his Catholic Majesty, is considered as a sufficient Passport for our Citizens to descend the Mississippi, & that some disorderly Men may (through this means) introduce themselves into the Spanish Dominions, is highly probable, for my Country (unfortunate in this respect; with the other Nations of the Earth) is not exempted from her degenerate characters.—

The great extent of uninhabited Territory on the Mississippi, is well calculated for an asylum, to Robbers and Pirates, and I am certain that the Garrison your Excellency has directed to be established at the mouth of the River St. Francis, will extend great protection, as well to the subjects of his Catholic Majesty,

as to the Citizens of the United States, who may navigate in those Parts.—

I tender to your Excellency assurances of my
Regard & respectful consideration
(Signed) William C. C. Claiborne

His Excellency
Manuel De Salcedo—
Governor General of Louisiana—

April 1st. 1802.—

During the last three months, the Governor made the following appointments.— Viz.

ABNER GREEN, Treasurer General for the Territory.

For Adams County—

William Dunbar,.....	.....	(declined)
William Vousdan,		
Samuel Brooks,		
Bernard Lintot, ...	.....	(declined)
Abram Ellis,	Justices of the Peace & Justices of the County Court.—	
James Farrell,		
Adam Tooley,		
Caleb King, and		
George Fitzgerald,		

David Ker, Sheriff for the County.—
Peter Walker, Clerk of the County Court.
John Henderson, Treasurer of the County.
Robert Stark, Clerk of Adams District Court.
Abner L. Duncan, Attorney General for Adams District.
Archibald Lewis, Clerk & Master in Equity for Adams District.

For Jefferson County.—

Cato West,
Thomas Calvit,
Jacob Stampley,
Henry Green,
Zechariah Kirkland,
John Hopkins,

Justices of the Peace & Justices of the County Courts.—

John Girault, Clerk of the County Court.—
Daniel James, Clerk of Jefferson District Court.—
Felix Hughes, Clerk & Master in Equity for Jefferson District.-

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For Washington County.—

John Callier, (Caller)
John Johnson,
James Fair,
Joseph Thompson,
John McGrew,
Thomas Bassett,
John Brewer,
John Henson,

Justices of the Peace and Justices of County Court.—

Richard Lee, Clerk of the County Court.—

For Claiborne County.

William Downs,
G. W. Humphreys,
James Stansfield,
Ebenezer Smith,
Daniel Burnett,
James Harman,

Justices of the Peace, and Justices of the County Court.—

Samuel Coburn, Sheriff.
Mathew Tierney, Clerk of the County Court.—
Samuel Gibson, Coroner.—

For Wilkinson County. —

John Ellis,
Hugh Davis,
John Collins,
Richard Butler,
William Ogden,
Thomas Dawson,
} Justices of the Peace and Justices of the County Courts.—

Henry Hunter, Sheriff.—
Samuel Lightner, Clerk of the County Court.—

For Adams County.

MILITIA OFFICERS, 1st. Regiment.—
Benajah Osmun, Lieutenant Colo: Commandant.
Infantry.—

Abram Ellis,
Richard King,
} Majors.—

For Jefferson County.—

MILITIA OFFICERS, 2nd. Regiment.—

Zechariah Kirkland, &
William Thomas
} Majors.—

For Washington County.

MILITIA OFFICERS, 3rd. Regiment.—

John Callier, (Caller)
Nathaniel Christmas,
} Majors—

For Claiborne County.

MILITIA OFFICERS, 4th. Regiment.—
Daniel Burnet, Lieutenant Colo: Commandant.—
William Neely, Major.—

For Wilkinson County.—

MILITIA OFFICERS, 5th. Regiment.—
John Ellis, Lieutenant Colonel, Commandant—
Richard Butler, Major.—

ARTILLERY in NATCHEZ.

Samuel Postlethwait, Captain.—
Joseph A. Parrott, 1st Lieutenant.—
Joseph Newman, 2 Lieutenant.—
J. E. Trask, Brigade Major *and* Inspector.—

Talk to Indians.

April 2nd. 1802

The Governor having received Information of several offences, which had lately been committed; by some of the straggling Indians which were at large in this Territory, delivered to several of them, who had collected at Government House in Natchez, the following talk. —

BROTHERS,

The American Nation and the Choctaw Tribe of Indians have long lived in Peace, and I hope that our friendship will continue, as long as the Mountains stand, or the Waters Run.—

I consider you as my children, and must talk to you with the freedom of a Father.—I wish it were in my power, to say that your conduct was pleasing to me, but the truth is, that unless you act better for the future, you will lose my good Esteem.—

If your Nation had sent you to this Territory, it was your duty to call upon me, make known your Business, receive an answer, & return Home;— but I well know, that neither your Chiefs nor People sent you, to our Settlements;— You have come of your own free will, & for nothing else, but to drink Whiskey, & to spend your time in Idleness.—

It is my way to speak straight;— listen then to what I say, & hold fast my talk.— The White People have made to me of late, many complaints;- several Men in the Country have had their Cattle & Hogs killed; one man in Town, has had four Barrels of Flour, taken from his Door in the Night, and another, has lost out of his House a deal of Meat, and to tell you the truth, all those bad acts are charged upon some of the Indians.—

BROTHERS,

I hope none of you present are guilty of these Acts; if you are Men & Warriors, I know you would not take any thing that was not your own, but I must tell you, that if any thing should be missing in this Town or Country hereafter, I will have your Camps searched, and if I should discover that any of you have acted improperly, you shall be punished according to the White People's Laws.—

BROTHERS,

I am going now to give you some good advice; quit drinking Whiskey, for it will make you Fools & Old Women;— return to your own Land & make bread for your families;— The time of year is come, when corn & Peas ought to be planted, & every good man should be at his own Home;— If you will take this advice, I will give you some provisions to eat on the Path, but while you remain in our Settlements, you shall not have one ounce of Flour from me.—

To James Madison.

M. T. Near Natchez April 3rd, 1802

Sir,

It is confidently reported at New Orleans that East & West Florida's are ceded to France[1]— I have understood, that no official information of the cession, had reached the Governor General of Louisiana, and that he denies the truth of the *report;*— it is nevertheless generally believed and has occasioned much anxiety & uneasiness among the Inhabitants of Orleans.—

The Militia of this District, continues in an unorganized state, & the general want of arms presents an insuperable barrier to their organization.— I sincerely wish, the General Government would make a loan of about one thousand stand of arms, to the Militia of this Territory;— they should be carefully preserved & would add greatly to the security of this exposed Settlement.—

The Printing of the Acts of the Territorial Legislature is attended with as great delay, as I had anticipated.— The Printer employed is the only one in the Territory, & from a scarcity of Types, & I may add too of Industry, the Laws remain unpublished, greatly to my own embarrassment, & to the inconvenience of the Citizens.—

I continue to be much harassed with Visits from my Choctaw Brethren;— these poor, Idle & humble People are really great pests to this Territory;— I suppose at this moment there cannot be less, than two or three hundred, (consisting of Men, Women, & children) Encamped within six miles around Natchez, & for a support, they almost *entirely* depend upon begging and stealing; the Citizens who experience frequent losses in Cattle & Hogs, are becoming highly dissatisfied, & I find it difficult to *shield* the *Indians from much violence.*—

I am often at a loss for an Interpreter and wish to be informed, whether I may be permitted to employ one;— under

[1] This was the contention of the United States, but the Floridas did not pass with the Louisiana purchase.

the Spanish Government, the Indians were accustomed to receive Presents & Provisions at Natchez, & their visits were consequently frequent;—I have no Presents to make, and very seldom supply them with provisions, but they notwithstanding, will not, & cannot be persuaded to remain in their own Lands.—

The party Spirit in this Territory, seems again to be subsiding, & if my information be accurate, a decided majority of the Citizens are pleased with the Second Grade of Government, & the manner in which it has been administered.—

With Respect & Esteem
I am Sir,
your mo: obt. Hble: Servt.
(Signed) William C. C. Claiborne

The Honble:
The Secretary of State
for the United States
City of Washington

On the 5th. of April the Governor issued the following Proclamation.—

By his Excellency William C. C. Claiborne Governor & Commander in Chief, in & over the Mississippi Territory.

A PROCLAMATION.—

W h e r e a s the interest of the Territory would in my opinion, be promoted, by an early Session of the Legislature thereof, I have thought proper to issue this my proclamation, hereby requiring & commanding the Members of the Legislative Council, & those of the House of Representatives respectively to meet in General Assembly, at the Town of Washington, on Monday, the third day of May next.—

Given at Natchez, this fifth day of April, one thousand, eight hundred & two, & of the Independence of the United States of America, the twenty sixth.

In testimony of which I have undersigned my name, & caused the public (Seal) to be hereunto affixed.—

William C. C. Claiborne.

By the Governor

(Singned) *John Steele, Secretary*

To Henry Dearborn.

Near Natchez April 8th. 1802

Sir,

I have received a letter from Mr. Evan Jones of New Orleans, formerly American Consul at that Port, informing me that he had lately received *three Hogsheads & three Boxes,* containing Hoes & Axes & marked "U. S. Choctaw Indians" & *which* it appears some person in Philadelphia, had in February or March in the year eight hundred & one, shipped on board the Brig Thomas, Captain Earl bound for New Orleans & consigned to him, Mr. Jones; that the Brig Thomas, had been taken into Providence & there condemned as prize, with all her Cargo, except the three Hhds & three Boxes above mentioned, which were delivered to his Correspondents there, & by them, they had been lately sent to him at Orleans.—

I have no knowledge of these Goods but what is communicated by Mr. Jones;— I am however very certain, that they were designed by the U. States as presents for the Choctaw Indians, and did suppose, it would be proper in me to direct their transportation to Natchez, and to pay the charges which had accrued thereon;— While they remained at Orleans, the Costs for Storage would be continually accumulating, & they could not be appropriated in the manner contemplated:— I hope therefore my conduct will be approved of, & that a Bill, which I shall hereafter draw upon the Secretary at War for the amount of the cost arising, will be duly honored.—

For more particular information upon this subject, I must refer you to Mr. Jones's communication to me and my Answer, together with a Letter from me to Mr. Samuel Postlethwait at Natchez, Copies of which are enclosed number 1, 2, & 3.—

On the arrival of these Goods at Natchez they shall be carefully deposited & shall be disposed of in any manner that you may direct;— supposing it however probable that Colo: McKee our Agent with the Choctaws, may have received some instructions relative to these Goods, I have addressed to him a Letter, a Copy of which is also inclosed, No. 4.—

While I am upon the subject of Indian affairs, I will take the liberty to state that the Choctaws are becoming very troublesome to the Citizens of this District;— they are Encamped in every Neighborhood, and are in the habit of committing frequent depredations upon the Cattle, Hogs, & other property of the Inhabitants: complaints of these excesses, are daily made to me by the People & it is not in my power to give redress.—

The Law establishing the Mississippi Territory, attaches to the Governor, the power & duties of a superintendant of Indian affairs;— if those duties were particularly prescribed, it would relieve me from much embarrassment.—

The management of Indians is at all times unpleasant, & frequently attended with difficulty;— if therefore I consulted my inclination & convenience, I would wish to take no part in this business, but from the contiguity of the Territory to Several Indian Tribes, and their constant intercourse with our Citizens, it is essential to the interest of both parties, that the Governor should have some Agency in the Indian Department.-

The Choctaws who are at present in our Settlement, are (with a few exceptions) very worthless characters;— they have come *hither* with their Women and children for the purpose of Begging, & stealing;—they are in a measure disowned by their Nation, & declared by their Chiefs to be a set of Vagabonds, whom they cannot control.—

The Territorial Laws forbid the selling or giving of Strong Drink to Indians, but yet it is furnished them, & they are seen

frequently Drunk at Natchez, to the great disturbance of the Citizens.—

I should be sorry to make any request, which might be thought improper, and still more so, to increase unnecessarily in any degree, the expenses of the Government, but I am constrained to ask permission, to employ an Indian Interpreter, & to solicit that a subaltern Officer, with about twenty or thirty Men might be stationed in the vicinity of Natchez, & subject to my orders.— I would then have it in my power, on all fit occasions, to hold friendly Talks with the Indians, who might visit the District, & to punish by temporary confinement those, who might get drunk, or other ways behave amiss:— a kind of punishment, of all others, the best calculated to keep Indians in Order.—

Some time ago, General Wilkinson, on my application, did promise to erect (in the course of the Summer) a Block House in the Neighborhood of Natchez, as a place of Deposit for some of the spare Arms, now at Fort Adams (in order that the Body of the Militia, who are almost entirely without Arms, might in the event of danger, be furnished with the means of defence,) and to station thereat, a few Troops:—If this Establishment was made, it would add to the security of the Territory, & would answer my object in relation to the Indians:— The General I believe, is still disposed to make this *Establishment*, but it would be most pleasing to us both, if the Government would previously sanction the measure;— upon this subject I have heretofore written fully to the Secretary of State, but not having received an answer, I fear my Letters have miscarried.—

I have the honor to be
With Sentiments the most
respectful
your most obt. Hble: Servt:
(Signed) William C. C. Claiborne

The Honble. H. Dearborn
Secretary at War.—

To Gov. Claiborne, from Evan Jones.

No. 1.

New Orleans March 17th. 1802

Sir,

Being informed, that your Excellency has the direction of Indian Affairs, in the Mississippi Territory, I take the liberty to address you, on the subject of some goods, I have just received from Providence, & which by the marks &c on them, appear to have been destined for the Choctaw Indians.—

It appears that some time in February or March, of the year 1801, some person in Philadelphia, Shipped on board the Brig Thomas, Captain Earle, bound for this place, three Hogsheads & three Boxes, containing, as it is said, Axes & Hoes, marked U. S. Choctaw Indians, & addressed to me.—

The Vessel was taken into Providence, and there condemned as prize, together with all her Cargo, except the three Hhds. & three Boxes above mentioned, which were delivered to my correspondents there, and by them kept, for want of an opportunity of sending them on, 'till the 16th of February past; when they Shipped them to me by the Schooner Terropine, & I have received them, as I have already said, a few days ago, and have deposited them.-

I know not who Shipped them in Philadelphia, nor any circumstance respecting them, save what I have just related, as no Invoice, Bill of lading, or Letter about them came to my hands.—

The charges I shall have to pay on these goods, will be between Eighty and ninety Dollars in Cash, to which will be added my Commission on receiving and delivering them.—

Now Sir, if after reading this history of them, you should think proper to order any person to receive them from me and pay me my charges on them, I shall be ready to deliver them.—

I have also a small demand of Twenty one Dollars, on the Government of the United States which I presume you would

think reasonable should be paid me out of their effects now in my hands.

With very great respect, I have
the honor to be Sir,
your Excellency's
most obt: Servt:

(Singed Evan Jones.—

His Excely.
William C. C. Claiborne
Governor of the M. T.—

To Evan Jones.

No. 2nd.

Near Natchez April 7th. 1802.—

Sir,

Your Letter of the 9th. Ultimo, has been delivered, & I pray you to receive my thanks, for this mark of attention, to the Interest of the United States.—

I have no information of the Goods you allude to, but what is contained in your communication;— there can however be no doubt, but that these *Goods*, were intended by the United States, as presents for the Choctaw Indians, & in my Character as a Superintendant of Indian affairs, for the Southern Department, I esteem it a duty to receive them, & to pay the charges which have accrued thereon:— You will be pleased therefore, to deliver to the order of Mr. Samuel Postlethwait Merchant of Natchez, the Hogsheads and Boxes, which may be marked "U. S. Choctaw Indians," & this Gentleman, will make provision to reimburse you, the expences which these Goods have subjected you to, & will further allow you, such commissions for receiving & delivering them as may be customary.—

So far as relates to your "Demand for twenty one Dollars, against the Government of the United States," it is not in my power to act:— business of that kind, more properly appertains to the accounting officers, at the City of Washington, & I am persuaded, that upon exhibiting your claim, at the Treasury Department the amount thereof, will be promptly paid to your Agent or Attorney—

If a better conveyance should not occur, I will at your request forward to Washington, any of your claims against the Government, and on this and all other occasions I shall be happy to render you services.—

With respect &c &c

(Signed) William C. C. Claiborne

Evan Jones Esqr.

To Samuel Postlethwait.[1]

No. 3

Near Natchez, April 7th. 1802—

Sir,

Enclosed is a Letter to Mr. Evan Jones, Merchant of New Orleans, and you will oblige me, by giving it safe conveyance:— That Gentleman has in his possession, three Hogsheads & three Boxes containing some presents from the U. States for the Choctaw Indians;— I have requested him to deliver them to your order, & you will confer a singular favor on me, if you would through your correspondent at Orleans, direct their transportation to Natchez.—

Mr. Jones informs me that the charges on those Goods, will amount to about Ninety Dollars, independent of his Commis-

[1] The leading merchant of Natchez at this time; married a daughter of William Dunbar.

sion for receiving & delivering them.— I have taken the liberty to inform *him* that you would make provision for the payment of that sum, together with the customary Commissions.—

The costs accruing, not being particularly ascertained, perhaps it would be best, to authorize your correspondent to settle with Mr. Jones, and to draw upon you for the amount;—I presume, a Bill upon Natchez would be equally as acceptable to a Merchant at Orleans, as the cash;— But the most convenient way, to you, of adjusting this Business, will be agreeable to me.—

You may be assured, that the monies you may advance, to Mr. Jones, together with all charges incidental to the transportation of the Goods to Natchez, shall be reimbursed you, but I must request you, to instruct your Correspondent to ask of Mr. Jones a particular *Statement of his account,* to take *duplicate Receipts* for the Sum paid, and to forward these Vouchers to you, by the earliest opportunity.—

With great respect & Esteem
I am Sir,
Your Hble.. Servt:
(Sign) William C. C. Claiborne
Capt, Samuel Postlethwait
Merchant at Natchez.

To John McKee.

No, 4.—

Near Natchez, April 7th. 1802

Sir,

Mr. Evan Jones of New Orleans, informs me of the late arrival at that Place, of three Hogsheads & three Boxes marked "U. S. Choctaw Indians" (Containing Hoes & Axes) which had been shipped by some Person in Philidelphia, sometime in Feb-

ruary or March in the year 1801, on Board the Brig Thomas, Capt. Earle and addressed to him;— that the Vessel had been taken into Providence & there condemned as prize, together with all her Cargo, except the Hhds. & Boxes above mentioned.—

I have informed the Secretary at War of the contents of Mr. Jones's Letter;— in the mean time I have directed the transportation of those Goods to Natchez, and on their arrival, they shall be carefully deposited.—

Supposing it probable that you may have received some instructions, as to the disposition of those articles, I have written you this Letter, & should be happy to receive your answer.—

With respect I am Sir,
your Hble. Servt.
(Signed) William C. C. Claiborne
Colo: John McKee.—

To Governor Claiborne, From Capt. Shamburgh.[1]

Camp 10 Miles North of Fort Adams
April 7th, 1802

Sir,

I am directed by General Wilkinson to send to your Excellency, a Brass Field-Piece, Eighty Stand of Arms, And Sixteen flannel Cartriges, filled with 1½ pounds of powder each, for said piece of Ordnance.—

Lieutenant Wilson the bearer of this has the above named Military Stores in Charge, & is directed to deliver them to your order— and I have to beg your Excellency for your Signature to the Receipts annexed to one of the Invoives here enclosed—

[1] Bartholomew Shamburgh, Pa. German, Capt. June 30, 1794.

the Duplicate is for the information of the Person who may take charge of these Stores— and I am with profound respect

your Excellency's

mo: obt. & very Hble. Servt:

(Signed) Bm. Shaumburgh

Capt: 2nd. U. S. Regt: Inft:

His Excellency

Governor Claiborne

To Batholomew Shaumburgh.

Natchez April 12th. 1802—

Sir,

The Military Stores which you committed to the care of Lieutenant Wilson, have been safely delivered, & my Receipt for the same is now enclosed you.—

When the Troops under your Command shall have reached this Neighbourhood, I promise myself, the happiness of seeing you at my House—

With great Respect,

I am Sir,

your Humble Servt.

(Signed) William C. C. Claiborne

Capt. Shaumburgh

2nd. U. S. Regt:

The Brass field piece, & all its apparatus, together with 40 Stand of Arms, the Governor loaned to Captain Saml. Postlethwait for the use of his Company of Natchez Artillery, & obtained from Captain Post: (Postlethwait) the following Receipt—

Invoice of Ordnance & Military Stores received from William C. C. Claiborne, Esquire Governor of the Mississippi Territory.— Natchez 12th. April 1802—

1	1	2	1	1	1	2	1	1	2	2	1	16	40	1	1
Brass 3 Pounders.	Travelling Carriage.	Side Boxes.	Trail Hand Spike.	Lead Apron.	Tampkin.	Spunges & Rammers.	Ladle & Worms.	Pair of Drag Ropes.	Tent Stocks.	Poufire Stocks.	Pound of Slow Matches.	Flannel Blank Cartriges.	Stand of Arms complete.	Gunner's Belt &c.	Powder Horn Complete.

Received from William C. C. Claiborne, Governor of the Mississippi Territory the above named Ordnance & Military Stores, for the use of the Artillery Company at Natchez, which I promise to return to him, or to the Governor for the time being, when demanded.—

(Signed) Saml. Postlethwait—

The remaining 40 stand of Arms was
deposited with Captain Postlethwait for safe keeping.

To the Members of the Two Houses of Assembly.

The Governor addressed a Letter (of which the following is a Copy) to each Member of the two Houses of Assembly.—

Washington April 16th. 1802—

Dear Sir,

On the fifth Instant I issued my Proclamation, for convening the Legislature at the Town of Washington, on Monday the 3rd. day of next Month.—

Lest that Proclamation may not have reached you, I have written this Letter, & must solicit you to be punctual in your attendance.—

With great Respect & Esteem
I am Dear Sir,
your Humble Servt.
(Signed) William C. C. Claiborne

To Samuel Postlethwait.

The Governor addressed the following Letter to Captain Samuel Postlethwait, Merchant of Natchez.—.

Washington April 16th. 1802

Sir,

The prevalence of the small pox at Orleans, has excited considerable alarm among the Citizens of this Territory & it is greatly feared, that this Contagious Disease, will extend to our Settlements;— *its* introduction at any time, might probably prove calamitous, but at this particular period, when the People are so generally, and *necessarily* employed in agricultural pursuits, it would indeed, be a great misfortune.— I flatter myself therefore, that every good Citizen who may have intercourse with Orleans, (or other places infected) will use every precaution to avoid the communication of the contagion, & I confidently expect, that the Merchants of Natchez in particular, will forbear to Vend or expose for Sale, any *fur Hats* or *woollen Cloths,* which may be directly imported from *Orleans* during the existence of the Small-pox, at that Town:— I have understood that *these Articles,* will nourish the Infection, and that by this means, the Small-pox has been frequently communicated to distant places—

Will you do me the favor Sir, to communicate the contents of this Letter, to the Merchants of Natchez, & to assure them,

that the Public Good, could alone induce me, to solicit any restriction in their Trade.—

With great respect & Esteem
I am Dr. Sir,
your Hble- Servt.
(Signed) William C. C. Claiborne

Capt. S. Postlethwait
Mercht.

To William Dunbar,

Washington April 16th. 1802

Dear Sir,

Your Letter of the 11th. Instant, was delivered to me, by Mr. Carter;— I should immediately have answered it, but was really too unwell, to attend to any kind of Business.—

I think with you, that the introduction of the Small-pox, would at this particular period, be a great misfortune, and that every precaution ought to be taken, to prevent its approach.

The Law you alluded to, relative to Contagious Diseases, has not been repealed, but before the Governor could act under that Law, he must receive "information from some Physician within "the Territory that a contagious Disorder, is at some House, in "the Town or Country, or on board of a Boat, or Vessel, at or "near the shores of the Territory:"—Now Sir, no such information has been communicated, & the Chief Justice of the Territory (with whom I advised) accords with me in an opinion that in the present state of things, I can prescribe no Regulations, which the Citizens would be bound to conform to:— I have however, requested the Merchants of Natchez, not to Vend or expose for sale, any fur Hats, or Woollen Cloths, which may have been Imported direct from Orleans, and I did also address a Letter, to Mrs. Piercy, in which she was particularly solicited, not to introduce the Infection into her Family.—

I am persuaded that in this quarter Inoculation will not be resorted to, but by general consent, and I flatter myself that the Citizens will everywhere observe the like propriety.— It would be a fortuitous circumstance, if the Vaccine Matter could be obtained, and I hope that a disappointment will not ensue;— I should esteem it peculiarly unfortunate, if at this time, we should not be benefitted by this important discovery;— for my own part I should think the Citizens would act wisely, were they immediately to Assemble, and raise by subscription a fund, to employ a confidential character to proceed direct to Kentucky, & procure the Matter.— From the account, I have received of the Cow-pox, it is safe at all seasons of the year & so mild in its operation, as seldom to require either nursing or confinement.—

Mrs. Claiborne & myself would be very happy to see yourself, Lady & Family at our little Cottage;— Mrs. Claiborne is at present confined, but the prospect of her speedy restoration to health, is very flattering:— She has recently presented me with a sweet little Daughter;— an event which has added greatly to the happiness of us both.—

Accept my best wishes.—

I am Dear Sir,

your Hble— Servt.

(Signed) William C. C. Claiborne

William Dunbar Esquire

To Gov. Claiborne, from Henry Dearbourn, Secretary of War.

The following is a Copy of a Letter from the

Secretary at War to

the Governor.

War Department

Feb. 23rd. 1802-

Sir,

It is the ardent wish of the President of the United States, as well from a principle of humanity, as from duty and sound

policy, that all prudent means in our power should be unremittingly pursued for carrying into effect the benevolent views of Congress relative to the Indian Nations within the Jurisdiction of the United States.— The provisions made by Congress, under the heads of Intercourse with the Indian Nations, and for establishing trading Houses among them &c. have for their object not only the cultivation and establishment of harmony & friendship between the United States & the different Nations of Indians, but the introduction of Civilization, by encouraging and gradually introducing the arts of Husbandry and domestic manufacturies among them.— The President is more induced to continue to use all the means in his power for effecting the foregoing object, from the happy effects already produced in several of the Indian Nations, by the zeal and Industry of the Agents among them.—

With a view of giving every assistance in the Power of the Executive, to the measures contemplated, relative to the Indians generally, the President has considered it necssary to make the following regulations.—

That the Governors of the North Western, Indiana and Mississippi Territories, in their capacities as Agents for the Indian affairs, will in future consider themselves as having the Superintendence of all business relating to the Indians in their respective Territories, & will from time to time call upon such Sub-Agents as may be necessary for ascertaining any facts or circumstances relative to the said Indians, or the conduct of any such Sub-Agents, & for any other information, which may be useful & proper, & to give all such Sub-Agents such instructions and advice from time to time as may be found necessary and not incompatible with the Laws, or instructions given by the immediate direction of the President of the United States.—

The Sub-Agents and Agents of Factories will correspond with the respective Governors of the Territories in which they may be placed, & communicate generally with the Department of

War through that channel, and consider themselves under the general direction of the Governor respectively;— And Temporary or Sub-Agent or Agents of Factories will regularly make report once at least in every three Months to the Governor and to the Secretary of War of all circumstances relative to their Agencies, with a correct statement of all expences incurred under their direction, which report should be made from a Journal regularly & correctly kept by the Sub-Agents of all occurrences worth noticing relating to disputes, complaints, Misfortunes, &c, including likewise, whatever may relate to the progress of Civilization among the Indians, & such remarks as their knowledge may from time to time enable them to make, relating to the Natural History of the Country, the population, the particular manners of the Inhabitants, and likewise of the increase or decrease of Population. —

The Agents of Factories will make correct Returns of the State of the Territory, of the Sales & Receipts &c., to the Governor of the Territory, in which they shall respectively reside, once in three Months, noticing all circumstances proper to communicate relating to the kind and quantities of goods wanted from time to time & will transmit a duplicate thereof to the Secretary of War.— Colo: Hawkins and the Agents of the Factories at Tillico in Tennessee and in Georgia will communicate immediately with the Secretary of War as usual.—

I have the honor to be

with sentiments of Esteem

Your Humble Servt.—

(Signed) H. Dearbourn

His Excellency

William C. C. Claiborne Esquire

To Henry Dearborn.

To the above Letter the Governor returned the following Answer.—

M. T. Natchez April 19th. 1802

Sir,

On last evening I had the honor to receive your Letter of the 23rd. of February last.—

So far as may depend upon my co-operation, no exertions shall be wanting, to carry into complete effect the benevolent views of the General Government, relative to the Indian Nations within the Jurisdiction of the United States, and such instructions from the President upon this subject, as you may forward to me, I will execute with promptitude and pleasure.—

The progress of civilization among the Cherokees, Chickasaws, and upper Creeks, authorize a hope that the Indians within our Limits may ultimately be rescued from a State of Barbarism, & to contribute to the attainment of an object so interesting to humanity, would be to me a source of great gratification.— The Choctaws are indeed, generally involved in Savage life, but even among them, a Spirit of Industry has recently appeared; and the cultivation of the Soil is becoming the principal employment of several families.—

If my Agency be extended, to the Indians included within the bounds of this Territory, the Choctaws and lower Creeks would fall under my Inspection;— but from the general tenor of your communication, I understand it as the intention of the President to commit to Colo: Hawkins's care the whole of the Creeks, & until otherwise instructed, I shall confine my superintendence to the Choctaws.—

I will thank you to enclose me Copies of such Laws in relation to the Indians, as may be passed by the present Congress, and also of the instructions which have been given to the Agent, residing within the Choctaw Nation; —the early possession of those Documents, will the better enable me, to advance the views of Government.—

In my Letter of the 8th. Instant, I advised you of the situation of some Indian Goods at Orleans & that I had directed their Transportation to this place;— I expect their arrival in a few days; and shall be solicitous to receive Instructions from you as to their distribution.—

I must renew my application for a Subaltern Officer, and about *thirty* Men, to be subject to my orders, and also for the privilege of employing an Interpreter; —every day's experience evinces the necessity of my possessing the means of preventing the Indians when Intoxicated, from mixing with the Citizens at Natchez, & of holding with them occasionally friendly Talks.—

If the late Treaty with the Choctaws concluded at Fort Adams should be ratified, it is expedient without delay, to mark the Boundary Line between them and the United States, it will serve to prevent trespasses upon Indian Lands the fruitful sources of discontent.—

With sentiments of Esteem
and respect,
I am Sir,
your mo: obt. Servt:
(Signed) William C. C. Claiborne

The Honble..
Secretary of War
City of Washington

To Gov. Claiborne, from James Madison.

Department of State:—
Washington 22nd. February 1802

Sir,

I have the honor to enclose you a Commission, constituting David Latimore[1] a Member of the Legislative Council of the Mis-

[1] Drs. David and William Lattimore located in Natchez in 1801, natives of Virginia. See Claiborne's "Mississippi," pages 262, 263.

sissippi Territory, in the room of Adam Bingaman & request that it may be forwarded to him.—

With much respect,
I have the honor to be
Sir,
your most obt. Servt:
(Signed) *James Madison*

W. C. C. Claiborne Esquire
Governor of the Mississippi Territory —

To James Madison.

The following is an Answer to the foregoing Letter.—

M. T. Natchez, April 24th. 1802—

Sir,

On the 18th. Instant I received your Letter of the 22nd. of February, covering a Commission for Doctor David Latimore, as a Member of the Legislative Council of the Mississippi Territory.—

This Commission has been delivered to Doctor Latimore, and I have the pleasure to inform you, that he accepts of the appointment;— this Gentleman unites to pure Republicanism, handsome Talents & an honest Heart. —

The utmost harmony still continues to exist, between the subjects of Spain at *Orleans*, and the Citizens of the United States who trade to *that* Port.— I observed with great pleasure, in a late Northern paper, a Message from the President to Congress, in which he recommends the establishment of an Hospital at New Orleans;— the principles of Humanity & of sound policy, call loudly for an institution of that kind:— Our Citizens often descend the Mississippi, at an unhealthy season of the year, and many lives are lost at Orleans, for the want of attendance & com-

fortable Lodging for the Sick, and sometimes for the necessaries of life.—

With prospects so gloomy, the enterprising Citizen of the Western Country, reluctantly ventures down the Mississippi during the Spring & Summer Months, and the difficulty & expence of procuring Hands, become so great, that contemplated Voyages are sometimes given up, or if prosecuted, the Hands employed are too few to ensure the safety of the Vessel, while on its Passage;— these inconveniences would in a great measure, be remedied by the establishment of a convenient Hospital at Orleans, for the reception of Sick and disabled Americans.—

With Sentiments of Esteem &
Respect.
I am Sir, Your Humble Servt.—
(Signed) William C. C. Claiborne

The Honble:
James Madison
Secretary of *State*

To Daniel Burnet.

Town of Washington April 27th. 1802.—

Sir,

I have received information that a set of Pirates and Robbers, who alternately infest the Mississippi River, and the Road leading from this District to Tennessee, rendezvous at or near the Walnut-Hills, in the County of Claiborne;—a certain Samuel Mason[1] & a Man by the Name of Harp, are said to be the Leaders of this Banditti;—they lately attempted in a hostile manner to board the Boat of Colo: Joshua Baker, between the mouth of Yazou River, and the Walnut Hills, but were prevented by Colo:

[1] There is in the Mississippi Department of Archives and History a record in French of the trial of Mason for robbery, by the military authorities of New Madrid, dated January 11-31, 1803. For facts relative to Mason see Claiborne's "Mississippi," pages 226, 227, 228.

Baker's, making a shew of Arms, and manifesting a great share of firmness.— These Men must be arrested; the honor of our Country, the Interest of Society, & the feelings of humanity, proclaim that it is time to stop their Career;—The crimes of Harp, are many and great, and in point of Baseness, Mason is nearly as celebrated:— While these Sons of Rapine & Murder are permitted to Rove at large, we may expect daily to hear of *outrages* upon the Lives & properties of our fellow Citizens.—

The Militia of your Regiment not being organized, I presume it would not be in your power, to execute (strictly) a Military Order, I shall therefore only request, that you will immediately endeavour to procure 15 or 20 Men as Volunteers, and place yourself, or some confidential Character at their Head.—

This little force will then proceed to the Walnut-Hills, & after making due examination & enquiry at that place, they will examine the woods in the Neighborhood of the Mississippi as high up as the Yazou; —If you should fall in with Mason & his party, you will use all the means in your power to arrest them, or any of them, and I desire, that the person or persons arrested, may immediately be conveyed under a strong Guard to Natchez.—

I hope that the honor of taking these Lawless Men, will be confered on the Citizens of your Neighbourhood; —Should they Succeed, I promise them a very generous reward,—

I have written to Lieutenant Rennick upon this subject, & it is probable, he will give you all the aid in his power.

With great Respect & Esteem.

I am Sir,

your Hble— Servt:

William C. C. Claiborne

P.S. For your information, I have enclosed you the Statement made by Colo: Baker to me, of the late attempt made to Rob' him.

W. C. C. C.—

Colo: Daniel Burnett—

To S. Rennick.[1]

A Letter from the Governor to Lieutenant S. Rennick Commanding a Detachment of the United States' Troops at the Grindstone Ford in Claiborne County.—

Sir,

A few days since, as Colo Joshua Baker was descending the Mississippi, he was attacked by a set of Robbers, between the mouth of the Yazou River & the Walnut Hills;— This Banditti is said to be commanded by a certain Samuel Mason & a certain Wiley Harp who have for years past been in the habit of committing with impunity Murders and Robberies.—

I am particularly solicitous, that these persons should be arrested and brought to punishment;— I have written to Colo: Daniel Burnet & requested him to assemble a small Party & proceed to the Walnut Hills & to the Yazou, in search of the offenders;— I hope you will give Colo: Burnet all the assistance in your power. — If you could furnish him with a Sergeant & 12 Men, you would be rendering a grest service to the Civil Authority.—

Samuel Mason is well known in this Territory, as is a Son of his, by the name of John, who is also reported to be amongst the Robbers.— I think it probable, that they may be found at or near the Walnut Hills;— at that place the Wife of John Mason resides.—

With respect & Esteem.

I am Sir,

your Hble: Servt:

(Signed) William C. C. Claiborne

Lieutenant S. Rennick

of the 3rd. U.S. Regiment

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[1] Seymore Rennick, of Virginia, Lt. U. S. A., January 9, 1801.

To Officer in charge of Troops at mouth of Bear Creek.

A Letter from the Governor to the Officer Commanding the United States' Troops near the Mouth of Bear Creek on the *Tennessee* River.—

Town of Washington April 27th. 1802

Sir,

I have received information that the Road from this Territory to Tennessee, is infested by a daring set of Robbers, among whom are a certain Samuel Mason, and a certain Wiley Harp; Men who have long been habituated to murder & plunder.—

I doubt not, but you will give all the protection in your power to the Citizens who may be travelling through the Wilderness, & I further hope Sir, that if you should receive information of any Mischief being done or attempted in the Wilderness, you will immediately order out a Party of Men, and make the necessary exertions to arrest the offenders;— This kind of conduct on your part, would give additional security to the exposed Traveller, & great support to the Civil Authority.—

With great respect & Esteem

I am Sir,

your Hble: Servt:

William C. C. Claiborne

To John McKee.

Natchez May 1st. 1802.—

Dear Sir,

I have received information, that the Negro of whose death, I acquainted you of, in my last Letter, was murdered by an Indian who resides in the Mucklesow Town;— my information comes through the channel of some Choctaws, now in this Dis-

trict, will you make further enquiry upon this subject; and inform me, the result.—

I am Dear Sir,
in great haste
your friend &c.
(Signed) William C. C. Claiborne

Colo: John McKee
Agent in the
Choctaw Nation.—

To William McCormick.

Town of Washington May 1st- 1802

Dear Sir,

I am extremely solicitous to learn the situation of our Smallpox Patients on this morning.—

I am fearful that they may experience some injury from the Dews at night, and the damp ground, & it is greatly my desire that these inconveniences may be remedied as soon as possible.— Will you be so obliging therefore as to request Mr. Bashford, to have some planks carried to the Encampment (in the course of this day) and employ a Person to assist in making for the sick Men a comfortable Place to lay on, and a dry shelter over them; Mr. Ruth has some Plank on the Road, which he intended for his Fence, and which he promised to lend me, on this occasion; they will answer the purpose very well.—

When we consider the fatigue which those men have undergone, since they were inoculated, & the manner in which they have been exposed to the heat of the sun, and the Dews & Rains at night, there is ground to fear, that the disorder may be immensely severe, and I am inclined to think the soonor medical aid is procured the better;— will you therefore be good enough, to engage the attendance of one of the Doctor Latimores, and get him to visit the Camp immediately.—

I must confess, that the idea, of having sent a fellow-mortal in the woods, "while on a sick bed" is distressing to my feelings; — But the safety of our own Society rendered the measure indispensable, and all that I can do is, to render their situation as agreeable as the nature of the case will permit.—

Mr. Bashford has been instructed to call upon you for every necessary for these unfortunate Men;— but lest he might not be sufficiently provident, I wish you would occasionally visit them yourself, and see what is wanting.—

T fear this Business, will be attended with some trouble to you, but I am sure, you will meet it with pleasure, since the cause of humanity is greatly involved.—

With sentiments of Esteem & Respect

I am Sir,

your Hble. servt:

(Signed) William C. C. Claiborne.

Wm- McCormick
Mercht: At
Natchez

To Abner Green.

To Abner Green Esquire, Treasurer General for the Mississippi Territory.—

You will pay to James Ferrall Printer to the Territory, out of any monies, which may be in the Treasury, one hundred & forty four Dollars, being the sum which is now due him, for printing the Laws, & for so doing, this Instrument, shall be your sufficient warrant.—

Given under my hand & Seal at the Town of Washington, on the 1st. day of May 1802.—

William C. C. Claiborne
Governor of the Mississippi
Territory.

To Batholomew Shaumburgh.

Town of Washington, May 3rd. 1802

Sir,

In a letter from the Secretary of War, I am informed, that the President of the U. States has directed five hundred Rifle Guns to be forwarded to me from Philidelphia, by the route of New-Orleans, and also three hundred Muskets to be delivered to me at Fort Adams, on my receipting for them.—

It would be inconvenient to receive those Arms, until there is erected a convenient House as a place of deposit, and I am furnished with a small Party to guard them until they are distributed in the manner contemplated by the Government.—

I have therefore to request, that you would detach a subaltern Officer and twenty-five or thirty Men to this Town, in Order, that they may proceed to erect a suitable Block-House, for the reception of the Arms, above mentioned, and that the officer be directed to comply with such instructions, as he may from time to time, receive from me.—

With respect & Esteem.

I am &c.

William C. C. Claiborne

Capt. B. Shaumburgh

To the Two Houses of Assembly.

A Communication from the Governor, to the two Houses of Assembly.—

FELLOW CITIZENS of the LEGISLATIVE COUNCIL, & of the HOUSE of REPRESENTATIVES. —

I am persuaded that an early attention, to several Subjects of Legislation, will be promotive of the Public good;— but being aware of your solicitude, to render the present Session as short,

as duty to your Constituents will permit, I shall forbear to recommend any business which can safely be postponed.—

The act which provided for the Publication of the Laws and Journals of the Legislature, will not I fear prove fully commensurate to that object; —from a want (probably) of Types or of sufficient assistance, the Public Printer has progressed so slowly in the work, as to evidence the necessity of making further & better provision upon this subject for the future.— The speedy and certain *promulgation* of the proceedings of each succeeding Assembly, is an act of Justice, to the Government, and to our constituents;— *it* would afford the means of general information, and would present the surest barrier against the effects of *Misrepresentation & Misconception.*—

A revision in part of the act, regulating the Judicial Department, seems to me expedient;— our experience under this System, has not been sufficient to ascertain the extents of its merits, or defects;— In theory, it is believed, well adapted to the local situation of the Territory, and to the administering of Justice between Man and Man;— that the details of the *Bill* are defective, is indeed certain, for perfection in a subject so complex, is not within the reach of human wisdom;— But *its* inaccuracies will best be discovered in the progress of its operation, & the necessary corrections may then, with greater certainty be applied;— You will however find it indispensable, to make a different and more convenient arrangement of the times for holding the Courts;— the Superior Court for Adams District, & the Court for Jefferson County follow so close in succession, that they will probably be in Session at one and the same time, and the Superior Court for Jefferson District and the Election for Representatives to the General Assembly, commence on the same days; — These interferences (if suffered to continue) will create general inconvenience to the Citizens, and may produce an obstruction in the streams of Justice.—You will also find it advisable, to make a more just apportionmẽnt of the number of Jurors, to be returned from the different Counties, to the Superior Courts;—

At present each inferior Court is directed to nominate thirty-six Jurors to the Superior Court, a regulation which may prove somewhat burthensome to the smaller Counties.—

While on the subject of the Judiciary, permit me to observe, that it will be wise policy, to consider with deliberation & candour, every *good-intentioned objection,* which may exist to the System;— In a free Government, the wishes of every part of the community, as far as be practicable, and consistent with the general good, ought to be consulted, for that, administration will always be the most honourable and happy, which in the greatest degree, attaches the affections of the People.—

The prevalence of the Small-pox at New Orleans, and our constant commercial Intercourse with that Port, exposing this Territory to iminent danger of receiving the contagion, a general alarm has prevailed among the Citizens for several weeks past;— The want of authority has prevented me, from taking the measures, best calculated to guard against the introduction of this *pestilence;* — at any time *it* might prove distressing, but at this season of the year, when the People are so *generally* and *necessarily* engaged in aggricultural pursuits, it would indeed be a great misfortune.—

Two attempts have been made to avail ourselves of that valuable discovery in Medical Science, the Vaccine or Cow-pox, but I am sorry to inform you, that the Virus which was procured, not being genuine, or having lost its virtue from age, the first attempt failed of success, & it is yet doubtful whether the issue of the second will be more fortunate.—

It remains for the Legislature to determine how far it may be proper, to pass a general Health-Law, and what powers ought to be vested with the Executive, to prevent the introduction of the Small-pox, or other infectious Diseases; —A Law upon this subject, was passed under the 1st. Grade of Government, and remains unrepealed, but upon inspection, its provisions will be found too imperfect to remain as a permanent Regulation.—

FELLOW CITIZENS of the LEGISLATIVE COUNCIL and of the HOUSE of REPRESENTATIVES—

Among the objects of general concern, which properly arrest the attention of Legislators, there is one of high importance, which has not yet been attended to in this Territory;— I mean a System of Public Education, and I should be sorry to see the functions of the first Legislature chosen by the People concluded, until some provision was made, upon this interesting subject.[1]

Every Government which aims at the general welfare and happiness, ought to direct its views to the advancement of Literature, as the most efficient means.— But the very preservation of a Republican Government in its genuine purity and energy, depends upon a diffusion of knowledge, among the Body of Society.—

A People involved in mental darkness, become fit subjects for despotic sway, but when Informed *of their Rights*, they will never fail to cause them to be respected by the Public Authority.

I am sure in point of pecuniary resources, this Territory is well enabled to defray the expence of Literary Institutions;— The rapid and uncommon growth of wealth amongst us will indeed be a blessing, if it should be accompanied in a like Ratio, with Mental improvement;— But if *wealth* be not used as an Instrument to promote knowledge and rational refinement, there is danger, that *it* may produce Luxury & Vice in the rising Generation, and become the means of corruption both Public & Private.—

I submit therefore for consideration, the propriety of extending your Legislative cares, to the Education of our Youth: A Seminary of Learning, established at some situation central to the Population of the Territory, fostered by the Government, and placed under the direction of a well selected Board of Trus-

[1] In response to this suggestion of Gov. Claiborne, the Legislature established Jefferson College May 13, 1802. Mayes' "History of Education in Mississippi," page 25; Morrison's "Jefferson College," Pub. Miss. His. So., pp. 179-188.

tees, would I flatter myself, become a fruitful Nursery of Science & Virtue.—

At this Seminary, our Youth would be collected into one community, and would form the early ties of intimacy, which would bind their Hearts in union & friendship through Life.—

I shall reserve for special Messages, some other matters, which it is proper to lay before you, and will conclude my present communication, with assurances of my entire confidence in your Patriotism, and of my faithful co-operation in every measure, which promises to advance the Interest of the Mississippi Territory.—

(Signed) William C. C. Claiborne

Washington May 4th 1802—

To the two Houses of Assembly.

A Message from the Governor to the two Houses of Assembly—

Gentlemen of the Legislative Council, and of the House of Representatives.—

The enclosed Resolution of the House of Representatives of the United States, which was transmitted to me, by the Honourable the Speaker of that Body, will acquaint you of the death, of our worthy fellow Citizen Narsworthy Hunter, late a Delegate from this Territory to Congress.—

It will become a duty of the two Houses of Assembly, to supply the Vacancy which is occasioned by Mr. Hunter's death;— This unfortunate event has deprived the Mississippi Territory of a valuable friend.—

(Signed) *William* C. C. Claiborne

Washington May 4th 1802.—

To Gov. Claiborne, from Nathaniel Macon.

Washington 13th. March 1802—

Sir,

The enclosed Resolution of the House of Representatives of the United States, will inform you of an event, which all here lament, and none more than

Sir,

Your mo: obt: Servt:

Nanthl Macon

In the HOUSE of REPRESENTATIVES
of the UNITED STATES,

Friday, the 12th. of March, 1802.—

Resolved, that the Speaker of this House address a letter to the Governor of the Mississippi Territory, to inform him of the death of Narsworthy Hunter,[1] the Delegate from the said Territory in this House, in order that measures may be taken to supply the vacancy occasioned thereby[2]

Extract from the Journal,

(Signed) John Beckley— Clerk—

To Benajah Osmun.—

Town of Washington May 6th. 1802—

Dear Sir,

The Major of Brigade, has furnished me, with a Copy of the returns you have made, to his office, of the Bounds of Company Districts, laid out in this County.—

The promptitude and correctness, with which this duty has been performed by yourself, and the two Majors, are highly

[1] Died March 11, 1802.

[2] The May session, 1802, elected Thomas Marston Green, of Jefferson County, to succeed Narsworthy Hunter, deceased.

pleasing to me, and entitle yourself and them to my sincere thanks.—

With a view to conciliation, and, to effect a ready and cheerful attention to Military duty, I am desirous that the privates composing the different Military Companies, shall nominate (by election) such Characters, as they would wish me to Commission as Captains, Lieutenants, and Ensigns & my determination is to appoint every *Person* so recommended, unless there should exist some *good Objection* either to his Public or Private Character.—

Will you therefore appoint a convenient time and place, for the Citizens subject to Militia duty and residing within the Bounds of Company Districts, to assemble and recommend their Company Officers;— will you also instruct one of your Majors to give due notice of the time when, and the place where, the different Companies are to assemble, and to attend at the said Company meetings, in order, that the business may be conducted fairly;— By the Major, the Persons recommended, will be announced to you, and through you to me.—

With great respect & Esteem:

I am Dr. Sir,

your obt: Hble: Servt.

(Signed) William C. C. Claiborne

Colo: Benejah Osmun. —

To Gov. Claiborne, from Henry Dearborn.

War Department
March 10th. 1802.—

Sir,

Your representation of the unarmed condition of the Militia of the Mississippi Territory, and taking into view the peculiar situation of the Country, has induced the President of the

United States to direct five hundred Rifle Guns to be forwarded from Philidelphia by the first conveyance by water to the care of William E. Hulings Esquire Vice Consul at New Orleans, to be delivered to your Order and also three Hundred Muskets to be delivered at Fort Adams, on your receipting for them.— The whole of the Rifles and Muskets to be sold under your direction to the Militia, on such reasonable terms as you may deem proper; but it may be found beneficial to set the prices so high as to prevent their being purchased for the purpose of speculation; the mode of payment will likewise be left to your discretion.— None should be sold to any Persons not actually belonging to the Militia.—

I have the honor to be with
sentiments of Esteem.
your Hble Servt:
(Signed) H. Dearborn

His Excellency
William C. C. Claiborne
Governor of the Mississippi Territory

To Henry Dearborn, Secretary of War.

To the above Letter, the Governor wrote the following Answer.—

M. T. Near Natchez May 10th. 1802.—

Sir,

I received by the last northern Mail, your Letter of the 10th of March, advising me that the President had directed five hundred Rifle Guns to be forwarded from Philidelphia to New Orleans, and to be delivered to my order, and also three hundred Muskets to be furnished me from Fort Adams on my receipting for them;—the whole to be sold under my directions to the Militia of this Territory,— This *arrangement*, has afforded

me great satisfaction,— *it* certainly will add to the security of the District, and will I flatter myself, render our Militia respectable.— I shall take care that *these arms* be alone disposed of to Persons actually *Enrolled in the Militia* and I shall take every precaution, to prevent their becoming an *object of speculation;*— to enable me the better *to do so,* I shall, in Person superintend the sales, and for this purpose, I have it in contemplation to deposit the Arms in a small Magazine, which will be erected, in about four hundred yards of my own Dwelling.—

The day after the receipt of your communication, I addressed to Captain Shaumburgh, commanding the United States Troops in this quarter a Letter, of which the Paper No. 1. is a Copy, and I received on yesterday, his answer No: 2. and to which correspondence, I beg leave here to refer you.— I did not suppose it safe, to have several hundred stand of arms, deposited any where in this Territory, without a Guard of protection, and the number of Men I requested of Captain Shaumburgh will not I presume be deemed too many;— in erecting the Magazine & Block-House, the utmost economy shall be observed, and the work formed on a small scale;— the use of the Land on which the Buildings will be erected, shall be procured gratis, also all necessary Timber, or if it should be deemed advisable, I will procure for the United States (from a Mr. Foster the present owner of the Land) upon very moderate terms, a Title to the Ground.—

The P r e s i d e n t, in submitting to my discretion, the terms upon which the Rifles and Muskets are to be sold, and also the mode of payment, has given me a high proof of his confidence, & I shall endeavour to discharge that confidence with fidelity;— but I must confess, it would have been more pleasing to me, if the conditions of the sale had been prescribed; I should then, have had nothing to do, but to comply with my Instructions;

—but at present, I feel a responsibility, which will attach to my mind no small share of anxiety.—

With great respect & Esteem,

I am Sir,

Your Hble. Servt:

(Signed) *William* C. C. Claiborne

The Honble..

Henry Dearborne

Secretary of War

for the United States

To Majors Isaac Callier and Nathaniel Christmas.

A Copy of a Letter from the Governor to Majors Isaac Callier & Nathaniel Christmas of Washington County, a copy of which was sent to each of those Gentleman.—

Town of Washington May 11th. 1802

Sir

I have enclosed you a Copy of a Law, which has lately been passed by the General Assembly;— It is in part interesting to Washington County and I wish you to make its contents generally known.—

The printing of the Laws passed during the last Session of the Legislature is not yet completed;—so soon as this necessary duty is performed, correct Copies shall be transmitted to your County.—

The Citizens of the Territory generally, experience great inconvenience from the delay which has attended the publication of our Laws, and this inconvenience cannot be remedied until a better Printing Press, than the one now engaged can be met with in the Territory.—

I sent you Copies of the Tax and the Election Laws by Mr. James Callier.-

With great respect & Esteem

I am Sir,

Your Hble.. Servt:

(Signed) William C. C. Claiborne

To James Madison.

M. T. Near Natchez May 14th. 1802

Sir,

In conformity to a Proclamation which I issued on the 5th day of April 1802, the Legislature of this Territory met in Session on the 3rd. Instant and on the day following I made to the two Houses a Communication of which the enclosed is a Copy.— On yesterday the Legislature adjourned, having acted upon the different subjects which I had recommended, and made several very wholesome Laws, amongst which is an act to establish a College in the Mississippi Territory.— The act declares that this College shall bear the name of "Jefferson College, in honor of Thomas Jefferson President of the United States and President of the American Philosophical Society."—

A little Town called Washington, about six miles from Natchez is fixed upon by Law, as the place where the future Sessions of the Legislature shall be holden.— Washington is handsomely situated, well supplied with excellent Spring water, and said to be the healthiest Spot in the District.[1]—

During the late Session of the Legislature, a Mr. Thomas M. Green was elected a Delegate to Congress, to supply the Vacancy occasioned by Mr. Hunter's death;— Mr. Green is a respectable and wealthy Farmer, warmly attached to the United States,

[1] Washington was made the Territorial capital by Act of February 1, 1802. The original Act is signed by W. C. C. Claiborne, Governor; H. Hunter, Speaker of the House, and John Ellis, President of the Council, and is on file in the Mississippi Department of Archives and History.

& to the principles of seventy six, possessing a tolerable correct judgment, but without the advantage of a good Education.—

With sentiments of great
Esteem & Respect
I am Sir,
Your Hum: Servt:
(Signed) *William* C. C. Claiborne

The Honble:
James Madison
Secretary of State for the U.S.—

To Henry Dearborn, Secretary of War.

The following is a Copy of a Letter from the Governor to the Secretary of War for the United States.

M. T. Near Natchez May 14th. 1802

Sir, The Indian Goods which were mentioned in my Letter of the 8th. and 19th. of April, have not yet reached Natchez, they are however on the River and I expect them daily.— Mr. Jones's Bill of Cost, when exhibited at Orleans, amounted to one hundred & thirty Dollars which has been paid at my request by Samuel Postlethwait Merchant at Natchez and duplicate Receipts taken; — for this sum together with the amount of freight from Orleans to Natchez, which will probably be inconsiderable.— I shall draw upon you in favor of Mr. Postlethwait.—

I have not yet received an answer from John McKee to the Letter I wrote him on the 7th. of March on the subject of those Goods, a Copy of which accompanied my communication to you of the 8th. of April.—

I have the pleasure to inform you, that the Choctaws continue friendly, and that most of those poor Indians who recently supported themselves, by begging & plundering in our settlements, have returned to their own Lands.—

By a Gentleman immediately from Orleans I learn, that an opinion still prevails there, that Louisiana is ceded to France, but no official information thereof had been received.—

While Spain is in the humour of parting with some of her dependencies, I wish to God the United States could negociate for East & West Florida, including the Mouth of the Mississippi; — This indeed would be a great acquisition, and would be productive of the most happy Political consequences.—

With great respect & Esteem.

I am Sir,

Your mo: obt: Hble: Servt:

(Signed) *William* C. C. Claiborne

The Honble..

Henry Dearborn

Secretary of War for the

United States.—

To Seth Lewis.

The following is a Copy of a Letter from the Governor to the Honorable Judge Lewis.

Town of Washington May 22nd. 1802

Sir,

The Bearer Mr. Stephen Bullock, wishes a Licence to practice as a Lawyer in the several Courts in this Territory:— will you be good enough to examine him, and give me your opinion in writing as to the extent of his legal information.—

I ask permission, to send to you for examination, all future applicants for admission to the Bar, and your opinion as to their fitness, will always be received with great respect by

Sir,

Your Hble.. Servt.

(Signed) William C. C. Claiborne

To Gov. Claiborne from Henry Dearborn.

A Copy of a Letter from the Secretary of War to the Governor.

War Department
April 8th. 1802

Sir,

From your representation of the state of Society at Natchez, and of the peculiar situation of the Territory, the President of the United States is of opinion that a Company of regular Troops may be spared from Fort Adams to be disposed of in the manner you have suggested:— A Block House and quarters for the Troops will also be necessary at some healthy and convenient place.— While the President is desirous of doing for our Citizens whatever is necessary for their safety and prosperity, he is anxious to restrain all expences within just & reasonable limits, It is therefore expected that the Scite, materials and labor for these works will be furnished at such moderate and reasonable prices as a private Citizen would pay, these views of economy being previously secured, a company will be ordered from fort Adams to assist in erecting the Buildings, together with such artificers as can be spared from that Post.— High Commanding ground in the vicinity of good water at one or two miles distance from the river should be selected for the Post and in the vicinity of the principal Population, perhaps it may be proper to place the Post at a greater distance from the River, say three or four miles, the healthfulness of the Scite should be considered an important object;— the Block House should be about thirty feet square and two stories high, the Timber for the walls should be twelve inches thick and of the most durable kind that can be conveniently procured;— the upper Story should be made convenient for the residence of the officers, except such parts as will be necessary for depositing the Arms &c; the lower Story may serve as a Store for the Garrison;— the Huts or Barracks should be made sufficiently large to afford suitable accommodation to the non-

commissioned officers and Soldiers:— If suitable Timber can be conveniently obtained for a Stockade, it would be an object worth your attention as a retreat in case of danger for Women and Children,— one hundred and forty feet square would perhaps be sufficiently extensive, that however can be better Judged of on the Spot.[1]—

It is considered that it may be proper and beneficial to consult with the Commanding Officer of Fort Adams relative to the Scite for the above works.—

I have the honor to be

With esteem your mo:

obt: Servt:

(Signed) H. Dearborn

His Excellency

William C. C. Claiborne

To Henry Dearborn.

The following is a Copy of a Letter from the Governor in answer to the foregoing from the Secretary of War.—

Town of Washington, May 24th. 1802

Sir,

I am honored with the receipt of your Letter of the 8th of April.—

The stationing of a Company of regular Troops at some Position central to the population of the Territory, and the erecting of some works of Defence, to be appropriated also, as a place of Deposit for Arms &c. are in my opinion, prudent measures;— I flatter myself that no event will arise, to disturb the peace of this distant *settlement*, but really in *its* present defenceless and exposed situation, I should think myself wanting in duty, had I

[1] Description of Fort Dearborn, as afterwards constructed under orders of Gov. Claiborne at Washington M. T. The site of the old fort is still an object of interest to visitors to that little village.

not suggested the propriety of placing the means of defence, within the reach of the People.—

The Scite, materials and labour for the Fort &c, I will take care to obtain on such "reasonable and moderate terms, as a private Citizen would pay," and so far as may depend upon my agency, I shall endeavour on all occasions, to restrain the expences of Government in this quarter, within just and economical limits.— It seems to me that the cost of the works contemplated, will be far from being considerable;— A Company of Men, aided by a few artificers from Fort Adams, would be enabled in a short time, to erect the necessary Buildings and I presume a few acres of Land, and the necessary materials, such as Timber, Iron &c, (including the expence of hauling) may be procured *for a sum less* that six hundred Dollars. —

I shall advise with the Commanding Officer at Fort Adams, as to the proper Scite for these works;— and will write further upon the subject by the nexy Mail: —I shall however, cause a *small Block House* about fourteen feet square, to be raised, to deposit temporarily the arms, that are to be sold to the Militia; It will be situated about four hundred yards from my House, and within the same distance of the Town of Washington, the present seat (of) Government for the Territory.— I have procured the Timber for the Block-House, and also the use of one acre of ground gratis;— But should the Secretary of War wish the ground to be conveyed to the United States, the owner has agreed to do so, for thirty five dollars.—

The arrangement of the Militia in this Territory, receives a great share of my attention;— It is a troublesome undertaking but I shall persevere, until I effect a complete organization.—

I have not yet heard of the arrival of the Rifles at Orleans;— It is my intention, to dispose of the Muskets & Rifles for cash,

and upon such Terms, as will remunerate the United States, the original Cost.—

With great Respect
and sincere Esteem
I am Sir,
your Hble— Servt—
(Signed) William C. C. Claiborne

The Honble—
Henry Dearborn
Secretary of War for the U.S.

To James Madison.

Mississippi Territory, Town of Washington
May 28th. 1802.—

Sir,

I have the honor to enclose you, a Manuscript Copy of the Laws passed at the last Session of the Territorial Legislature; There being at present, no Secretary in the Territory, (Colo: Steele's time of service having expired) the original Laws, are deposited with me for safe keeping.—

The acts passed at the Session, previous to the last, are yet with the Printer; but I hope, the publication of them, will be completed in the course of next week, and if so, I will transmit you a Copy, by the next Mail.—

With respect & Esteem.
I am Sir,
Your Hble.. Servt:
William C. C. Claiborne

The Honble—
James Madison
Secretary of State
for the U. States

To Gov. Claiborne, from James Madison.

Department of State
April 9th. 1802—

Sir,

I herewith enclose your Commission, as Governor of the Mississippi Territory, issued in consequence of the Senate's confirmation of your appointment,[1] and,

have the honor to be
Sir,
your obt. Servt:
(Signed) James Madison

William C. C. Claiborne
Governor of the Mississippi Territory.—

The following is a Copy of a Commission.—

THOMAS JEFFERSON President
of the United States of America,
To all who shall see these presents,—G r e e t i n g,

K N O W Y E, That reposing special trust and confidence in the Patriotism, Integrity and Ability of WILLIAM C. C. CLAIBORNE, of Tennessee, I have nominated, and by and with the advice and consent of the Senate do appoint him GOVERNOR in and over the Mississippi Territory;— and do authorize and empower him to execute and fulfil the duties of that office according to Law;— and to Have and to Hold the said Office, with all the powers, privileges and Emoluments to the same of Right appertaining for the term of three years from the day of the date hereof, unless the President of the United States for the time being should be pleased sooner to revoke and determine this commission.

[1] Gov. Claiborne was appointed on confirmation by the Senate January 26, 1802. His first apopintment of May 25, 1801, was made during a recess of the Senate.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

Given under my Hand, at the City of Washington, the Twenty Sixth day of January in the year of our Lord, one thousand Eight hundred and two; and of the Independence of the United States of America the Twenty Sixth.—

(Signed) THO: JEFFERSON

By the President,

(Signed) James Madison Secretary of State

To James Madison.

M.T. Town of Washington June 1st. 1802

Sir,

I have the honor to acknowledge the receipt of your Letter of the 9th— of April, enclosing me a Commission as Governor of the Mississippi Territory, issued in consequence of the Senate's confirmation of my appointment.

I am gratified with this additional proof of my Country's confidence, and it will not fail to excite my best endeavours to execute with propriety the trust reposed in me.—

I am Sir,

very respectfully

your mo: Obt: Hble —Servt:

(Signed) William C. C. Claiborne

The Honble—

The Secretary of State

for the United States.—

To Gov. Claiborne, from Thomas Jefferson.

A Copy of a Letter from Thomas Jefferson, President of the United States, to the Governor of the M. T. enclosing his answer

to an address from the House of Representatives, of the M Territory to him; with a Copy *of that* answer; & a copy of a letter from the Governor of the sd. Territory, to the President in answer to the one above mentioned.

Washington, April 3d. 1802.

Dear Sir,

The House of Representatives "of the Mississippi Territory "having sent through your hands the address they were pleased "to present to me, permit me to ask permission to pass the an- "swer through the same Channel, and to add assurances of my "friendly respect & high Consideration.

Th. JEFFERSON

His Excellency
W. C. C. Claiborne
"Governor of the M.T."

To the House of Representatives of the Mississippi Territory, from Thomas Jefferson, President of United States.

"To the House of Representatives of the Mississippi Terri- "tory."—

"Gentlemen,

"I receive with Great pleasure the address of your honourable house of the 20th— of January, & thank you for the senti- "ments of affection, of approbation, & of confidence which it "expresses.

"The interesting portion of our country which you occupy, "is worthy the fostering care of the General Government: im- "pressed with a full sense of the duties I owe to your situa- "tion, I shall not fail to fulfil them with solicitude & fidelity.

"With local advantages so distinguished, a fertile soil, genial "climate, and precious productions, the day cannot be distant, "when, strong in population, and rich in resources, you will, by

"the addition of your wealth & strength, amply retribute to your "sister states, the care & protection under which you will have "been nurtured, nor shall we doubt your assistance in fortifying "in our minds a strict adherence to the Constitution, and to those "Republican principles, which the patriots & heroes of '76 es- "tablished & consecrated.

"I pray you to be assured of my fervent wishes for your "safety & prosperity, & to accept the homage of my high respect "& consideration.

"TH: JEFFERSON
"April 3d 1802."

To Thomas Jefferson, President of the United States.

"Mississippi Territory
"Town of Washington, June 1st
1802

"Dear Sir,

On last evening I received your letter of the third of April, "enclosing your answer to an address from the House of Repre- "sentatives of this Territory, and which I shall with great pleas- "ure, forward to the Speaker of that body.

"With assurances of my highest respect,
I have the honor to subscribe
"myself,
"yr faithful friend
"& mo: obdt. Hble: Servt.
(Signed) "William C. C. Claiborne

"His Excellency
"Thomas Jefferson
"President of the United States."

To James Scurlock.

A letter from the Governor to Mr. James Scurlock, of Pinckneyville

"Town of Washington, June 2d. 1802.

"Sir,

I have understood that you have lately returned from the "Spanish settlements, and that your family are not entirely free "from the contagion of the Small Pox: If this is the case, I "hope you will immediately remove the person or persons in your "family affected, without the Town of Pinckneyville, to some "retired situation, & that every precaution will be taken by "you, to prevent the spreading of the disease.— This is your duty "as a good citizen, & I enjoin a strict performance.

"There is a Law of the Territory entitled an act to prevent "the importation and spreading of the Small pox",[1] which pun-"ishes with fine & imprisonment any person who shall wilfully "introduce the small pox into our settlement. The general good "dictated the passage of this Law; and suggests, also, the pro-"priety of rigidly enforcing it.

"With respect

"I am, Sir,

"yr. Hble: servt.

("Signed) William C. C. Claiborne."

"James Scurlock."

Warrant on Treasurer.

A Warrant in favour of Edward Turner for 36 dolls. on the Treasurer General for certain services rendered

"To Abner Green Esqr. Treasurer General of the Mississippi "Territory;

"You will pay to Edward Turner[2] out of any monies which "may be in the Treasury, thirty six dollars, being the amount of

[1] Act of May 13, 1802.

[2] Clerk of the House of Representatives, who was distinguished in State Affairs. Lynch's "Bench and Bar of Mississippi," pages 84-87.

"the compensation allowed him by me, for taking several manu-
"script copies of the laws passed at the late session of the Legis-
"lature: and for so doing, this instrument of writing shall be
"your sufficient warrant.

Seal "Given under my hand & seal to the Town of Washington, this 2d. day of June, A.D. 1802.

(Signed) "William C. C. Claiborne—"

To John McKee.

"Near Natchez, June 4th— 1802

"Sir,

Your Communications of the 25th—of April and 20th of May "have been received; and I thank you for the promptitude with "which you commenced an enquiry relative to the killing of Mr. "Fitzgerald's negroe; It is important that the murderer should "be known, & I hope you will endeavour to procure such infor-"mation as will enable you to state to me with certainty the name "of the fellow who committed the murder, & the Town to which "he belongs.

"I am inclined to think that the tale of the Indian who "says he was stabed in the back by a white man without any "previous quarrel, is not correct. It is most likely to have been "the result of a drunken frolick, in which a white man might "probably have been a party.

"The Citizens of Natchez and its vicinity are not at this time, "as much embarrassed with Indian visits as formerly. Of late, "several of these vagabond fellows, with their families, who had "become so troublesome, have retired from our settlements; but "many others still remain; greatly to the disturbance of the good "people of this Territory. I wish that this great inconvenience "could be remedied. I think with you, that the people of Natchez "are themselves much in fault; and I shall endeavour to put a

"stop to the practices which you allude to: But it will still be ad-
"visable for you to impress upon the minds of the Choctaw
"Chiefs the propriety of their restraining some of their people
"from making such frequent, unnecessary, & lengthy visits to
"this Territory.

"The tools I mentioned to you in a late letter, are now in
"Natchez. I expect in two or three weeks to hear from the Secre-
"tary at War, upon the subject of their goods But if in the mean
"time the person you propose sending for the Chactaw annuity,
"should arrive, I shall commit to his care a part, and probably
"the whole, of the tools to be distributed under your direction.

"In a letter from the Secretary at War, dated on the 23rd—
"of February (a copy of which is herewith enclosed for your in-
"formation and instruction) I am directed "to consider myself
"as having the superintendence of all business relating to the
"Indians within this Territory"; and in future, all such sub-
"agents as may be appointed by the President, to reside among
"the Indian Nations, are directed to correspond with the *Gov-*
"*ernor of the Territory,* in which they may be placed, and com-
"municate generally with the department of war, *thro' that chan-*
"*nel; and* to consider themselves under the General direction of
"the Governor." In consequence of this new regulation, the gen-
"eral superintendance of the Chactaw Nation, devolves upon me,
"and I promise myself great support from your faithful and able
"co-operation.

"In the letter from the Secretary at War, your duty is par-
"ticularly detailed. The report which is directed to be made
"once in every three months, I will thank you to forward to me,
"at the earliest convenient period; it will acquaint me with the
"present state of your agency, and of the Chactaw Nation; & I

"shall then be the better enabled to forward the views of the "Government.

With assurances of great respect
& esteem,
I am,
Sir, &c'
William C. C. Claiborne.

P.S. I have sent you, in a separate packett, a news paper, "which contains a copy of the late act to regulate Trade & inter- "course with the indian tribes, and to preserve peace on the "frontiers.

"Colo. John McKee
"Agent in the Chactaws"

To Henry Dearborn.

Natchez, 10th. June 1802.

"Sir,

"Three Hogsheads & three Boxes of Ironmongery, marked "U. States, Chactaw Nation," being the same which I have men- "tioned in several of my late letters, have arrived at Natchez. "The freight & charges on these goods, as will appear by the "vouchers enclosed, amounted to *one hundred & sixty four dol- "lars*— for *which sum*, I have this day drawn a Bill upon you "payable at five days sight, to Samuel Postlethwait & Co. or "order.—

"With great respect
"I am,
"Sir
"yr Hble. Servt.
"William C. C. Claiborne"

"The Honble: H. Dearborn
"The Secretary at War"

June 12th— 1802

The Governor issued a warrant upon the Treasurer for fifty two dollars in favour of James Patton, being the sum due him for his services as a marker of the road from the national boundary line, to the town of Natchez as appeared by an account which he rendered, and a certificate signed by Hugh Davis & John Collins, two of the Commissioners for laying out said road.

Address to Officers of Militia.

June 21st. 1802

"Gentlemen officers of the first
"Regiment of Militia,

"I avail myself of this opportunity to offer you my congratu-"lations, on your entering upon the duties of your present hon-"ourable appointments, and to express my entire confidence in "your exertions to merit the trusts respectively committed to "you.

"The importance of a well regulated & a well armed militia "to the safety of this Territory, must be fully impressed upon "every reflecting mind; and that every good citizen will unite "cordially in effecting an object so essential to the general good, "I will not for a moment permit myself to doubt.

"To render our Militia a safe rampart of defence, order, "regularity, and a proper degree of military discipline must be "introduced. In these particulars you will (probably) find the "regiment to which you are annexed, greatly deficient, But "relying as I do, upon the zeal & industry of the officers, the do-"cility & obedience of the privates, & above all, upon the pa-"triotism of this community, I persuade myself that the time is "not distant, when every citizen of this Territory, will be a

"soldier, & prepared on all occasions, to defend with his life, his "country, her government & laws.

"William C. C. Claiborne"

To Gov. Claiborne from Wm. T. McCormick.

A copy of a letter, from William T. McCormick, & the Governor's answer.

Natchez 22d. June 1802.

"Dear Sir,

"Inclosed is the account of disbursements I have made for "the small-pox hospital say Doll 114 6½-100. — If found right "would be much obliged to you to annex your certificate.

"Pardon my troubling you at this time, I should not have so "immediately done it, but a gentleman to whom I am to pay "money has an arrangement to make with the Treasurer, and this "receipt can probably come in as so much cash.

"With sentiments of great respect

"I remain your obdt Servt

Wm- T. McCormick

His Excely:

William C. C. Claiborne

"Governor of the M. T."

To Wm. T. McCormick, Esq.

June 22d. 1802

"Dear Sir,

"I have enclosed you a warrant upon the Treasurer for the "amount of your Bill.

"I take this occasion to acknowledge my obligations to you, "for the care & humanity which marked your attention to the "hospital camp, & to assure you of my respect & regard.

"William C. C. Claiborne

"Wm- T. McCormick Esqr."

Pardon to George Rapalje.

"By William C. C. Claiborne
"Governor of the Mississippi Territory
"To all who shall see these presents,
"G r e e t i n g;

"Whereas at a Supreme Court of Law held in & for the "County of Adams, in the Territory aforesaid, on the second "monday in October in the year 1800, present the honorable Seth "Lewis, chief Justice of the Said Territory, & the honorable "Peter Bryan Bruin, second Judge thereof, then & there possess- "ing authority to hold said Court & to hear & determine all man- "ner of felonies & other crimes & misdemeanors committed "against the peace & dignity of the United States & of this Terri- "tory, and of the laws thereof within the same Territory.

"And W h e r e a s the Jurors of the said United States in "and for the sd. County of Adams, then & there attending the "Supreme Court aforementioned, & being duly sworn on their "oaths did present that George Rapalje late of the said County "on the 13th. day of September in the year 1800 at the County of "Adams in & upon the body of a certain John Cotty then & "there being, an assault did make, and that he the said Rapalje "with a certain dagger which he then & there held, the said John "Cotty, feloniously, wilfully, & of his malice aforethought did "strike & thrust, giving to the said John Cotty with the dagger "aforesaid one mortal wound of which the said John Cotty, then "& there instantly died, whereupon the Jurors aforesaid, upon "their oaths aforesaid did say that the said George Rapalje: the "said John Cotty in manner & form aforesaid, feloniously, wil- "fully, & of his malice aforethought did kill & murder, against the "statute in that case made & provided, and against the peace & "dignity of the United States & of this Territory.—

"And W h e r e a s the said George Rapalje being thereupon "arraigned & having pleaded that he was not guilty: issue was

"then joined in due form of law, & thereupon came a jury of good "& lawful men who being elected & sworn the truth to say, and "upon the premises aforesaid, upon their oaths did say that "The "prisoner is not guilty of the murder aforesaid, as above charged "upon him, but that the said George Rapalje is guilty of the "felonious slaying of the aforesaid John Cotty," all which "will more fully appear, reference being had to the proceedings in "this case yet remaining of record among the Rolls & Records "of the aforesaid Court.

"And Whereas a petition signed by a great number of "very respectable Inhabitants of this Territory has been pre- "sented to me, recommending the said George Rapalje as an "object of mercy & praying for a pardon in his behalf:

"NOW THEREFORE KNOW YE that having considered "the prayer of the aforesaid petitioners, I have thought proper to "extend mercy to the said George Rapalje and by virtue of the "power & authority in me vested as governor of the aforesaid "Territory, I do by these presents pardon & consign to oblivion "the offence aforesaid, whereof the said George Rapalje stands "convicted as aforesaid: Provided nevertheless and BE "IT REMEMBERED, that these presents are granted upon the "following expressed conditions, to wit, That "Before the said "George Rapalje shall be allowed to take benefit of these presents, "he the said George shall before the Judges of the Superior Court "of law for the District of Adams in open Court, or before one "of the Judges of the same out of Term, become bound in a "Recognizance to the Governor of the Mississippi Territory and "his successors in office, himself the said George Rapalje in the "sum of two thousand dollars, and two sufficient securities in the "sum of five hundred dollars each, with condition that the "said George Rapalje shall keep the peace, and be of good be- "haviour towards all the good people of this Territory, and all "others being therein, for and during the period of five years, to "begin & be computed, from the day of the date of these presents:

"P r o v i d e d a l s o, and the true intent & meaning hereof "is, that if within the aforesaid term of five years the said George "shall commit any breach of the conditions of these presents, "or of the conditions of the recognizance hereby required, then "this pardon shall cease & be utterly null & void to all intents "& purposes.

"Given under my hand and the seal of the Territory at the "town of Washington on the 22d. day of June, in the year of "our lord, one thousand eight hundred & two."

"William C. C. Claiborne"

To Gov. Claiborne, from Wm- E. Huling.

"New Orleans, 12th. June 1802.

"Sir,

"The goods mentioned in the inclosed letter & bill of lading "have arrived. I have entered them for deposit, and as soon as "they are landed, shall store them until I receive your com- "mands.

"Permit me to offer you my services in whatever may contri- "ute to the public good, or to your personal interest, and to "assure you of my respect.

"I am

"Sir

"yr. mo: obdt Servt &c.

"His Excelly. "Wm. E. Hulings

"Governor Claiborne."

To Wm. E. Huling.

"Natchez June 26th. 1802.

"Sir,

"Your letter of the 12th— Inst: together with its enclosure, "have been received.

"I will take early measures to transport the *goods* mentioned "in the Bill of lading to Natchez; and in the mean time I am "pleased that they are committed to your care.

"I shall occasionally avail myself of your good offices at Or- "leans, and I pray you to be assured of the pleasure, with which "I would render you any service, in my power.

"I am
"Sir,
"very respectfully
"yr obdt Servt.

"The Honble: "William C. C. Claiborne
"Wm. E. Hulings"

* Memorandum, the goods mentioned in the bill of lading, were five hundred rifle guns, packed in forty nine chests.

To John McKee.

Near Natchez, June 29th. 1802.

"Dear Sir,

"The bearer Andrew Bracken a citizen of the U. States, visits "the Chactaw nation, in order to recover some horses and other "property of which he was robbed by a party of Indians (sup- "posed to be Chactaws) on the road leading from Tennessee to "this Territory.

"You will be pleased to give Mr Bracken all the assistance "in your power; & if it should appear that the Robbery was "commited by Chactaws I request you to impress upon the Chiefs "the propriety & necessity of punishing the offenders.

"This is the first outrage since the Treaty at Fort Adams, "and if the Chiefs should cause the offenders to be severely pun- "ished; it will probably be the last; but if this *act of aggression* "should pass unnoticed, it will invite others, and the traveller "will have no security.

"The paper enclosed (which is a true copy of an original "deposition, now on file in my office) will shew you the amount "of Mr. Bracken's loss, and describes particularly the property "plundered.

"Will you present to the Chiefs my best wishes; & assure "them of my great solicitude for the happiness & prosperity of "the Chactaw nation.

"With respect & esteem,

"I am,

"Dear Sir

yr. Hble: Servt.

William C. C. Claiborne

"Colol. John McKee

"agent for the U. S. in the Chactaw Nation."

To Gov Claiborne, from Henry Dearborn.

War Department, May 24th— 1800.

"Sir,

"I have the honor to acknowledge the receipt of your Excel- "lency's letter of the seventh ultimo, together with copies of "correspondence relative to the goods for the use of the Chactaw "Indians; enclosed you will receive a copy of the Invoice of these "goods Shipped from Philadelphia in October 1800.

"As soon as Mr. Dinsmoor[1] (the agent to the Choctaws) "shall arrive in the nation you will please to take measures in "conjunction with him, to have these goods delivered as orig- "inally intended. The expenses incurred will be paid on your "draft being presented at this Department.

[1] Silas Dinsmore, agent to the Choctaws.

"Please to accept my thanks for your prompt attention to "this business, and am with great respect

"yr. Excellency's

"mo: obdt. Servant

"His Excellency H. Dearborn

"*William* C. C. Claiborne"

To Henry Dearborn.

Near Natchez, June 29th— 1802.

"Sir,

"I have received your letter of the 24th— ultimo covering an "invoice of certain Indian goods, which were Shiped from Phil- "adelphia in October 1800. These goods are now at Natchez; "and shall be forwarded with care to the Chactaws, as soon as "I learn of Mr. Dinsmoor's arrival in the nation.

"It is expedient to carry into effect at an early period, the "third article of the late Treaty between the U. States and the "Choctaw nation, which provides "that the line of demarcation "which was formerly established between the officers of his "Britanic majesty, and the Chactaw nation, which runs in a par- "allel direction with the Mississippi river, and eastward thereof "shall be retraced and plainly marked; The particular course of "this line in its whole extent is little known, and the interest of "both parties, requires that it should be ascertained with cer- "tainty.

"On the 14th— of this month, a man of the name of Bracken "who was removing with his family to Natchez, was robbed of "several horses & other property by a party of Indians (supposed "to be Choctaws) on the road leading from Tennessee to this "Territory: On this morning I dispatched Bracken to the nation "with a letter to the agent, (of which the enclosed is a copy) "and I flatter myself that the stolen property will be returned, "& the offenders punished.

"I have not yet been enabled, in conjunction with the com-"manding officer of Fort Adams to select a scite for the erection "of a Garrison, central to the population of this Territory. The "new organization of the Troops has for a few weeks past, con-"fined the commanding officer of Fort Adams at that post: In "the course of next week, however, I expect Captn. Sparks,[1] "(the officer commanding) at my house; and we will then pro-"ceed to select a scite, and to make other necessary arrangements, "of which you shall be immediately notified.

"In a letter from Mr. Hulings of New Orleans, dated on the "12th. Inst: I am informed of the arrival at that port of the "five hundred rifles, which you advised me of in your letter of "the 10th. of march last: I shall take measures for the transpor-"tation of these guns to Natchez and will dispose of them in "conformity to the instructions I have heretofore received

"With great respect, & sincere
"esteem,
"I am
"Sir,
"Yr. mo: ob: Hb: servt.
"The Honble: "William C. C. Claiborne.
"H. Dearborn, Secretary at War.

Letter to Sheriffs.

The Governor addressed a letter (of which the following is a copy) to the Sheriffs of each County:

"Town of Washington June 30— 1802

"Sir,

"The acts passed at the late Sessions of the Legislature not "being printed, I enclose you a manuscript copy of the election "law, together with an extract from the ordinance, prescribing "the qualifications of the voters.

---

[1] Captain Richard Sparks.

"The law points out your particular duty, as also the manner "of appointing inspectors of the election.

"It will be highly proper to advertise at several of the most "public places, in your county, the time & place of holding the "election; or otherwise, a general information thereof may not "be communicated.

"I am,
"Sir,
"Very respectfully
Yr. Hble: Servt.
"William C. C. Claiborne."

To Henry Dearborn.

"Near Natchez, June 30th— 1802.

"Sir,

"I enclose you a letter which I have this day received from "a Mr. John Callier of Washington County in this Territory, a "Major in the Militia, and a Member of the Washington County "Court.

"If the Chactaws, (as Mr. Callier states) should be disposed "to part with any of their land on the waters of the Tombigbee, "it would be a great accommodation for our citizens in that quar- "ter to make a purchase; and I am certain that, if the purchase "money should not be very considerable it would be speedily re- "imbursed by a Sale of the lands: for the emigration to the Tom- "bigbee has of late greatly increased; and if the bounds of that "District were enlarged, there is no doubt but it would in a short "time become a strong & compact settlement.

"The Spanish record of which Mr. Callier speaks, may be "an important paper. If his information be correct the claim "of the Indians to certain lands which they at present hold, will "be found to have been justly extinguished.

"The situation of our citizens on the Tombigbee is indeed "unpleasant; Their numbers do not exceed twelve hundred of all "descriptions; nor will the present bounds of Washington County "admit of much greater population. These few citizens are "separated from Natchez by an Indian Country of near 250 miles "in extent; surrounded on all sides by savages, and might be "cut off before information of their distress could reach any "other county in this Territory.

"I am
"Sir,
"very respectfully
"Yr. Hble: Servt.
W. C. C. Claiborne.

"The Honble:
"Henry Dearborn
"Secretary of War."

To Gov. Claiborne, from James Madison.

Department of State, May 11th— 1802.

"Sir

"Your several letters from Novr. 24th— to the 6th— of "March last, have been successively received.

"Such of them as fell within the purview of the War Depart- "ment were communicated to General Dearborn, who, I have "reason to believe, has bestowed on the subjects recommended a "favorable attention.

"I Inclose the opinion of the Attorney General in the case "where you wished it. Altho' the phraseology used by him does "not refer to the technical distinction between a chancery and "common law Jurisdiction, the former having no distinct es- "tablishment in the Eastern States, yet you will find your idea "justified that equity can always relieve against fraud.

"It is to be regretted that so much violence and vicissitude "as you describe should afflict the inhabitants of a settlement,

"which both in its infant and frontier character, more partic-
"ularly needs the advantages of concord and stability. We rely
"much for a remedy on your patriotic dispositions and prudent
"counsels, which as they develope themselves cannot fail to in-
"spire the well meaning with confidence & to repress the activity
"of others.

"I cannot yet give you any final information whether the
"Spaniards are to remain your neighbours, or are to exchange
"that character with the French. It seems certain that a trans-
"fer of Louisiana was stipulated to the latter. Whether they
"will be diverted from the object, or abandon it of themselves
"as their true interest would advise, remains for time to ex-
"plain.

"Congress adjourned on Monday the 3d. Inst. As soon as the
"laws of the Session shall be ready, a copy will be forwarded to
"you. The course of their proceedings will have come to your
"knowledge through the newspapers, a file of the latest of which
"is herewith enclosed. I hope that in future you will receive
"them more regularly, thro' the ordinery channel.

"With sentiments of great respect & esteem
"I have the honor to be, Sir, yr. mo:
"obdt. servt.

"His Excellency "James Madison
"William C. C. Claiborne Esqr.
"Governor &c."

Opinion of Attorney-General.

The opinion of the attorney General alluded to in the above letter.

"Washington, March 26th— 1802.

"Sir,

"In answer to your communications as contained in the letter
"of the attorney General of the Mississippi Territory, enclosed

"by Governor Claiborne, respecting claims to vacant lands in "that Territory. I can state little more than general principles, "and a loose opinion on the decided cases.

"It does not appear from the letters what were the pleadings "in the action, in which evidence of fraud in the dating of a "deed was excluded; what was particularly in issue; why it was "done; whether it was from the idea that the evidence was not "of the proper kind; or the best which the nature of the transac- "tion admitted of; or that the witnesses were considered incompe- "tent from being interested in the question or in the cause.

"Nothing can be clearer than that all grants made by the "Spanish Government, after the ratification of the treaty by "which the land was ceded to the United States are void. A "claimant who had in fact obtained a patent or a title before "that time under the Spanish, or since under the American Gov- "ernment, can alone hold by his grant. There being no question "of a right by mere possession in the way, and indeed such a right "to vacant lands can never exist against Government. The only question is, When was the patent granted? not when was it "dated, or what is its date? The delivery of a deed is a consum- "ating act, by which, and from the time of which, it takes effect "and operates. Its delivery may be before or after its date. "An anti-date, a subsequent, or no date is material, only, as proof "of a delivery, until which there can be no deed. But prima "facie, every deed shall be intended to be delivered on the day of "its date, and to be made fairly and in good faith. These pre- "sumptions are, however, controlable by proof. The execution of "all deeds must be proved, if their validity is questioned any evi- "dence which will shew any of their essential parts to be differ- "ent from what they are presumed to be, and in favour of a third "person must be admissible. Delivery is a matter in the Country "& an indispensible requisite to be established by evidence for- "eign from the date of the deed, or any thing contained in it. "There is a difficulty in conceiving how evidence to this point

"could be excluded by the Supreme court. The Warrant of sur-
"veys, petition, certificates, & plats, under the Spanish Govern-
"ment, and which are said to be in the offices in New Orleans, can
"be of no use, but to shew the real time of a patents being
"granted. Where there are interfering grants, and the question
"is, which was first made; or when they were respectively
"made, and there is no registry or record to decide it by, nor
"any statute mode of ascertaining the matter, the grestest lati-
"tude should be given for the admission of evidence, and espe-
"cially in suppression of fraud.

"If it should be necessary to procure evidence in possession
"of the Spanish Government, I should suppose an application
"by a party interested, or by the Governor of the Territory,
"would be abundantly suffucient for that purpose. A line from
"the Spanish minister at this place on the subject may be use-
"ful. His Government will not hesitate to aid in the detection of
"fraud, and none will pretend that a Spanish grant of land, after
"their right to it ceased, or a subsequent deed, with a prior date,
"can be good against a person, claiming under a prior deed, or
"a rightful grant.

"Mention is made of an action's being brought by one Green
"against the United States for the recovery of public lands &
"buildings, and in which after a verdict for the demandant, a new
"trial has been granted. It is not perceived how an action could
"be brought against the U. States. It may have been against an
"individual possessing, or claiming to possess under them. As no
"case is stated, I do not see how government can be bound by any
"verdict which may be given in the case, nor can I give any opin-
"ion on the subject.

"I am Sir most respectfully

"yr mo: ob: Servt.

Levi Lincoln

"The Honble:

"James Madison Esqr.

"Secretary of State."

The Governor's Answer.

"Near Natchez, June 31st— 1802.

"Sir,

"By the last mail I was honoured with the receipt of your "letter of the 11th. ult: enclosing me the attorney General's "opinion in the case I had solicited it.

"The Spanish Governor was extremely liberal in his dona- "tions, after the promulgation of the treaty between the United "States, and Spain. and there is no doubt but many tracts of "land in this District are claimed by antidated grants; and I be- "lieve the fraud may be proved without any difficulty.

"The compromise between the U.S. and Georgia is pleasing to "most of the citizens in this quarter.[1] The terms are just and lib- "eral; and I sincerely hope they may be acceded to by Georgia: "if so, and an office should be speedily opened for the sale of "vacant lands, and the terms of sale moderate, this Territory "will, in a few years become strong in population.

"Our present neighbours the Spaniards are truly friendly; "and I flatter myself that if the French should possess Louisiana, "with them also, we shall remain upon a good understanding; but "I must confess I should regret the exchange.

"In the course of the negociations among the great nations "of the Earth for Territory, I wish to God the U. States could "possess themselves of East & West Florida, including the Island "of Orleans. The bounds of our Country would then be suffi- "ciently extensive, and the chain of the American Union rendered "too strong to be weakened for several centurys.

"With every Sentiment of esteem &

"respect,

"I have the honor to be Sir,

"yr. mo: ob: Hb: Servt.

William C. C. Claiborne

The Honble

James Madison, Secretary &c

[1]Act of April 24, 1802, by which Georgia ceded to the United States title to lands claimed by both.

Appointments during April, May & June, 1802.

July 1st. 1802.

In JEFFERSON COUNTY.

William Erwin, William Shaw, Jesse Weathers, Henry Mannadell, John Dennis, & Abner Pipes,	Justices of the peace, & Justices of the County Court.

In ADAMS COUNTY.

Philander Smith—	Declined
John Henderson Joseph Erwin Joseph Sessions William Darby Abner Green Walter Burling - & Samuel Boid	Justices of the peace and Justices of the County Court.

In CLAIBORNE COUNTY.

James Harman	a Justice of the peace, & a Justice of the County ct.

In WILKINSON COUNTY:

Joseph Pannell Joseph Johnson, & Reison Webster	Justices of the peace & Justices of the County Court

Thomas Green Senr.	}	Treasurer for Jefferson County—
John Brooks— Sheriff. William Moss—Coroner	}	for Jefferson County.

For Militia appointments during the last three months, reference may br had to the office of the Brigade Inspector, where they are duly recorded.

To Richard Sparks.

"Town of Washington, July 1st. 1802.

"Dr. Sir

"Some time since, a small detachment of Troops under the "command of Lieutenant Williams was ordered to Washington, "to assist in erecting a small Block-house, for the reception of "some public arms, intended to be sold out to the Militia of this "District. But before the work was completed, the detachment "returned to Fort Adams to meet the new organization of the "army.

"I hope, Sir, that the troops are now so arranged, that you "can, without injury to the service, immediately detach a subal- "tern officer, and a party of men to this town, in order that the "work may be completed, which Lieutenant Williams had com- "menced.

"I will thank you to send with the detachment, the tools "necessarily used in erecting a block-house:— I presume they "may be spared from the Quarter Master's Store.

"The commanding officer at Fort Adams has heretofore been "instructed, by the Secretary at War, to deliver to my order, three "hundred stand of *Muskets*:- these arms have not yet been "called for, because I had no safe place to deposit *them*; but for

"the immediate accommodation of some of the Militia, I wish "you would forward by the detachment *sixty stand,* and upon "their arrival, I will enclose you a receipt for the same.

"With great respect,

" I am Sir,

yr. Hble: Servt.

"William C. C. Claiborne.

"Captn. Richard Sparks

"Commanding officer at Fort Adams."

To the Comptroller of the Treasury.

Copy of a letter from the Governor to the Comptroller of the Treasury.

July 1st 1802 near Natchez;

"Sir

"I have the honor to enclose you the account of Saml. Postle- "thwait & Co. for stationary furnished my office, during the last "six months. The charges are such as are customary in this "town; & I have therefore paid the bill. If this account should be "passed by the accounting officers of the Treasury, I will thank "you to advise me thereof.

"With respect & Esteem

"yr. Hble Servt.

"William C. C Claiborne

"To the *Comptroller* of the Treasury "

The account of Mr. Postlethwait amounted to thirty seven dollars.

To Richard Sparks.

"Near Natchez, July 6th— 1802.

"Sir

"In a late letter from the Vice-Consul of the United States "at New Orleans, I am informed of the arrival, at that port, of

"five hundred rifle guns, forwarded to him by the Secretary at "War, with instructions to deliver them to my order.

"To save the expense of storage &c at New Orleans, and to "enable me to dispose of those arms agreeably to the wishes of "our Government, I am desirous that they should be speedily con- "veyed to Natchez: but I believe it cannot well be done without "your agency and assistance.

"Will you therefore be good enough to send a confidential "non-commissioned officer and a few men, in a boat to New Or- "leans to receive the riffes, & convey them to Natchez. If the "boat you may dispatch should not be sufficiently large to con- "tain all the arms, the balance may be be forwarded by some "other opportunity.

"The enclosed letter to Mr. Hulings, you will be pleased to "forward, accompanied with an order from you for the whole of "the rifles, or such number as the boat can safely carry.

"With great respect,

"I am

"Sir

"yr. Hble. Servt.

"William C. C. Claiborne.

"Captn. R. Sparks

"Commanding officer at Fort Adams"

To William E. Huling.

Natchez, July 6th— 1802.

"Sir,

"This letter will be forwarded to you by the Commanding "officer at Fort Adams, who sent a small command to New Or- "leans, to receive the goods lately shipped from Philadelphia, di- "rected to your care, and to be delivered to my order.

"I fear the boat which Captn. Sparks dispatches, will not "be sufficiently large to convey the whole of the boxes of rifle "guns: If so, I will thank you to deliver to the order of Captn. "Sparks such number as you may suppose the boat can safely "carry, and the balance you will be pleased to send on by some "other conveyance. I have understood that a public Schooner, "loaded with cloathing, is shortly expected at Fort Adams— "Perhaps this vessel may call at Orleans, and it will be convenient "for her to take in any remaining boxes. If so, a conveyance "in that vessel will be preferred: but otherwise, I must solicit you "to embrace some private opportunity.

"The costs which have accrued, on these goods, you will "charge to the U. States; or if you think proper, you may make "the charge against me, and the amount shall be paid to your "order.

"Your letter of the 12th. June, was received; and answered on "the 26th. of the same month

"I am

"Sir,

"very respectfully your Hble servt.

W. C. C. Claiborne

Mr. Hulings,

"Vice-Consul at N. Orleans"

To Officer Commanding at Fort Stoddert.

Copy of a letter from the Governor to the Commg. officer at Fort Stothart.

"Natchez, July 10th— 1802.

"Sir,

"The bearer, Lewis Le Fleur,[2] has in charge certain goods "as specified in the receipt enclosed, which are sent by the U. S. "to the Choctaw Indians.

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[1] Fort Stoddert was established at Ward's Bluff on the Mobile River in July, 1799, and was named in honor of the acting Secretary of War.

[2] A Canadian, Indian trader, married a Choctaw woman, father of Greenwood Laflore, the Choctaw chief.

"You will be pleased to have these goods safely deposited "in Fort Stothart, & to deliver them to the order of the agent "for the U. S. in the Choctaw Nation.

"I will thank you to furnish the agent with such assistance "as he may need, to enable him to convey the goods up the Mobile "river.

"I am

"Sir

"very respectfully

"yr. Hble: Servt:

W. C. C. Claiborne.

"To the Commanding officer
at Fort Stothart."

A Copy of Lewis Le Fleur's receipt—

Natchez, July 10th— 1802

Received from William C. C. Claiborne Governor of the Mississippi Territory, two bails, marked "Choctaw Annuity"; three hogsheads, marked "U. S. Choctaw Indians"; three boxes marked "U. S. Choctaw Indians"; and one hogshead marked "Choctaw Annuity;" containing goods for the Choctaw Indians, the whole in good order, which I promise to deliver in like good order to the commanding officer at Fort Stothart on the Mobile river, the dangers of the Seas only excepted.

Louis Lefluar

A Copy of a Passport given to Louis Le Fleur.

William C. C. Claiborne Esqr Governor, and commander in chief of the Mississippi Territory: These are to request his Excellency the Governor of the Province of Louisiana and others of his Catholic Majesty's subjects to let Louis Lefluar and two

other gentlemen who accompany him, citizens of the United States, togehter with certain goods sent by the United States as presents to the Choctaw nation of Indians, as per their several marks, to wit; one hogshead marked "Choctaw Annuity;" three hogsheads marked "U. S. Choctaw Indians": and two large bales marked "Choctaw Annuity", together with one sett of blacksmith's tools p a s s safely and freely without giving or permiting to be given, any hindrance, but on the contrary affording to them all aid and protection as we would in like cases do for those who come recommended to this Government.

In testimony whereof we have delivered to him and them this passport signed by my hand, and with the seal of the said Territory hereunto annexed.

Given this 10th. day of July Anno Domini 1802 and in the 27th— year of the Independence of the United States of America.

Signed

William C. C. Claiborne,
Governor of the Mississippi Territory.

To Gov. Claiborne from John Girault.

"Recess, near Huntston 29th July 1802

"Sir,

Various circumstances have induced me to resign to you the "inclosed Commission (if it may be so called), the first and prin-"cipal of which is, the insertion of certain words in it, under "which I have taken the liberty to draw a line of stress, and "which rather astonished me when I first saw it; I then accepted "it on the firm belief of its being the uniform and general "tenor you had adopted; but when at Court I saw the Commis-"sions of the Justices, Sheriff, Coroner, and even of the Consta-"bles, and found them all divested of that type of distrust which "is stamped on me alone, I did immediately determine to keep it

"no longer time than would be necessary to make up the Judg-
"ments, and arrange the business of the Court, which however I
"have not yet had time to do, but having declared to my friends
"that I would resign it immediately on being elected to represent
"them in General assembly (although the Constitution of our
"Territory is silent and does not make it incompatible) yet I
"hasten so to do.

"I am
"Sir,
"yr. mo: obdt. Hble servt.
"Jno: Girault.

"His Excellency
"The Governor."

To John Girault.

Jefferson Court House Augt. 4th 1802

Sir,

Your letter of the 29th. Ultimo was delivered to me this afternoon.

It is a matter of no consequence to me what were the circumstances which induced you to resign the office of Clerk to Jefferson County Court; but since you have thought proper to mention a reason, which you term the principal one, a desire which I have always felt to remove erroneous impressions induces me to state that the "Type of distrust" refered to was not stamped upon *you* alone: The fact is, the words "during the pleasure of the Governor for the time being," were inserted in most of the Commissions which were issued at the commencement of my administration: and among *others*, the expressions which have given umbrage to you, were used in the Commission of the Sheriff of Adams County, the Clerk of the Superior Court and the Atto'y. General for Jefferson District.

I could proceed further in explanation, but I suppose enough is said to answer my purpose: to wit; "The removal of an erroneous impression.

I shall in a few days appoint a successor to you; and in the mean time I presume you will esteem it a duty to hold in charge the Records and other papers belonging to your office.

I am

Sir,

yr. Hble: servt.

W. C. C. Claiborne

Colol Jno. Girault.

To Gov. Claiborne, from Henry Dearborn.

"War Department, June 7th— 1802

"Sir,

"General Wilkinson has received directions from this De-"partment to superintend the preambulating the boundary line "between the Mississippi Territory and the Chocktaw nation, but "as some doubts arises respecting this line, he will not proceed "in the business unless the Chocktaws will first consent to accept "of some reasonable sum to establish the line which was agreed "on between their nation and the British Government, in a Treaty "which was held some time before the Spanish Government came "last into possession of the Floridas.[1]

Should General Wilkinson succeed with the Choctaws in obtaining their consent (and of which you will be informed) I have to request that your Excellency will appoint some capable person to assist him as a surveyor; and also to procure chainmen, pack horses, provisions, and stores, on the most reasonable terms.— Your Bills on this department for any expense which you may incur in this business, will be accepted and paid on the shortest notice.

---

[1] Treaty of March 26, 1765?

The Government of the United States having concluded on establishing a trading house for the accommodation of the Choctaws, goods to the amount of ten thousand dollars will be sent by water for commencing the establishment. I will thank you to inform me as soon as you can conveniently of the most elligible situation for the factory to be established. As soon as a spot is fixed upon measures will be taken for erecting suitable buildings for the store, & the residence of the Factor.[1]

A similar establishment on a smaller scale will be made at the Chickasaw Bluffs for the accommodation of the Chickasaws.

Agents for superintending those factories will be sent out from here in the course of the summer.

I have the honor to remain
With great respect
Your Excellency's
mo: obdt. Servt.

H. Dearborn

His Excellency
William C. C. Claiborne.

To Henry Dearborn.

Near Natchez, July 20th— 1802.

Sir,

I have received your letter of the 7th Ult. and will endeavour faithfully to execute the duties you require of me.

I am persuaded that General Wilkinson will meet with no difficulty in making with the Choctaw nation, the arrangement you desire. The Choctaws are an humble people and very much disposed to accommodate.

When General Wilkinson may be in readiness to proceed on the line, I shall select a suitable person to assist him as a sur-

[1] This policy was popular with the Indians, and caused them to assume a friendly attitude.

veyor: and will provide chainmen, Pack-horses, provisions & stores. It will be my care to obtain the necessary assistance and supplies on the most moderate terms; but the price of labor, and of every thing else, is so enormous in this District, that I fear you will suppose the terms extravagant.

I cannot at present give a decided opinion as to the most elligible spot for the establishing "a trading house for the accommodation of the Choctaws"; but I am inclined to think that some convenient Scite on the Tombigbee river near the mouth of the Alabama would best answer the views of Government; But upon this point I will consult our agent in the nation, and other characters, and will write you more fully in a few weeks.

Since my last letter to you, I have been visited by Captn. Sparks, the commanding officer at Fort Adams; and we have selected an elligible spot for the erection of a Garrison. It is situated on high commanding ground; in a healthy part of the District, possessing the advantage of excellent spring water, near the center of our population; and not more than six miles from the Mississippi river But for more particular information I refer you to the enclosed draft and description of the scite. — Mr. Calvit, the gentleman who owns the ground selected for the Garrison, is at present from home, so that I cannot now learn upon what terms a purchase of a few acres of land might be effected: but I will venture an opinion that he will not ask more than fifteen dollars per acre for 10 or 12 acres; and that for a small consideration he would permit the timber necessary for the works to be cut from his adjacent land: But on Mr. Calvit's return, which will be in a few days, I will know his terms with certainty and will advise you thereof.

A Lieutenant and thirty six men are at this time stationed near this town, & engaged in erecting a small block-house for the reception of the arms intended to be sold to the militia. At my request, Captn. Sparks detached, a few days since a party of men from Fort Adams to New Orleans for a part of the rifles

which had arrived at that port, and the balance Mr. Hulings is requested to forward to me by the first safe conveyance.

The prospect of organizing the militia is flattering: the different Counties are laid off into regiments, battalions and company Districts: the officers are all appointed, and the men enrolled: a great degree of rivalship exists between the different corps: and I flatter myself that in a little time I shall have a well-armed and a well disciplined militia.

I received, the other day, sixty stand of muskets from Fort Adams. They have been heretofore used, and are not in good order: I propose therefore to sell them at the moderate sum of eight dollars apiece. At this reduced price I expect the militia will speedily purchase them. But I find that the people here are much prejudiced against muskets, and are unwilling to depend upon any other arms but rifles.

About twelve days ago the Choctaw annuity for the year 1801, together with the goods which I had lately received by the way of New Orleans, were forwarded by water from Natchez to Fort Stothart on the Mobile under the care of one Lefluar, a trader in the nation. This man was sent to Natchez for the Choctaw annuity by John McKee, the present acting agent among the Choctaws, who recommended him to me as an honest and industrious, prudent man.

I requested the commanding officer at fort Stothart to receive the goods & to deliver them to the order of the agent for the United States in the Choctaw nation.

I have the honor to be

Sir,

with the greatest respect

yr. Hble: Servt.

William C. C. Claiborne

The Honble.

H. Dearborn,

Secretary at War.

To Henry Dearborn.

Near Natchez, Aug 6th. 1802.

Sir,

I have made enquiry as to the most elligible situation for a trading house to supply the Choctaw Indians with such goods as they may want; and am now decidedly of the opinion that some position on the Tombigbee ought to be selected. A trading house in that quarter might be regularly supplied with goods, from the United States; would be convenient to the great body of the nation; and would discourage the traffic trade, at present carried on by the way of Mobile and Pensacola, which interferes considerably with the arrangements of our Government, to introduce the benefits of civilization among the Choctaws.

As the navigation of the Mobile Bay is not secured to the United States it is possible that the Spanish officers in that quarter might throw some impediments in the way of transporting goods to the factory:[1] But from the present friendly and accommodating disposition of the Governor General of Louisiana towards the U. States, I do not anticipate much difficulty in this point.

I am,

Sir,

very respectfully

yrs: &c.

The Honble. W. C. C. Claiborne

The Secretary of War.

To Henry Dearborn.

Copy of a letter from the Governor to the Secretary of War.

Near Natchez, August 6th— 1802.

Sir,

By the last mail I forwarded a draft of the scite selected by the commanding officer at Fort Adams & myself for the erec-

[1] This fear afterwards became real, when Spain sought to control trade with the Choctaws.

tion of a new Garrison: I now have the honor to enclose you the copy of a letter from a Mr. Calvit to me, which will acquaint you of the terms upon which ten acres of land, including the scite, may be purchased.

The consideration per acre is not more than lands in the neighbourhood will generally command; and when we take into view the peculiar advantages of the ground, I am of opinion that Mr. Calvit's terms are quite reasonable.

As the works progress the greatest economy shall be observed; and no unnecessary expense incured: and I am now well assured that the aggregate cost will fall short of the sum I heretofore stated to you.

If a company should be ordered frqm Fort Adams to assist in erecting, and to occupy this Garrison, may I be permited to ask of you the favor to direct, that Captn. Sparks be detached on this command? Of his integrity, prudence, & patriotism, I have the highest opinion; & believe him well calculated to take charge of a seperate post.

The rifles from Orleans have not yet reached me; but I expect them every day. A small Block-house for the reception of these arms is nearly completed.

In the course of this week I have reviewed the militia of Jefferson & Adams Counties; and can assure you that the prospect of having a well-trained & a well-armed militia, exceeds my most sanguine expectations.— In the course of the ensuing week I shall review the militia of two other counties; and by the next mail I hope shall be enabled to make you a return of the effective force of this Territory.

With great respect, & sincere esteem

I have the honor to be

yr: very Hble: servt.

W. C. C. Claiborne

The Honble

The Secretary at War.

To Samuel Mitchell.

Copy of a letter to the agent for the U. States in the Chickasaw Nation.

Near Natchez, August 15th. 1802

Sir,

Your letter of the 30th. Ultimo has been received. I am sorry to hear of your indisposition; but I flatter myself your health is by this time sufficiently restored to enable you to attend to your official duties.

I am desirous to receive your quarterly *report*, in as much, as I expect to learn from it, the present state of your agency and to be particularly informed of the progress of civilization, among the Chickasaws.

In a late letter from the Secretary at War, I am advised, that it is in contemplation to establish, in the course of a few months, a Trading house at the Chickasaw Bluffs for the accommodation of the Chickasaw nation: but lest from some cause this establishment should either be delayed or given up, you will only mention it to the Indians as a probable event; or rather as an object contemplated, and not as one determined upon.

I was taken this morning very unwell, and I am now so oppressed with a pain in my head, that I am compeled to conclude this letter.

Make my respects to the Head men of the Nation, and particularly to my acquaintances, the Mr. Colberts.[1]

I am

Sir,

very respectfully

yr. Hble: servt:

W. C. C. Claiborne.

Saml. Mitchell

Agent for the U.S. in the

Chickasaw Nation

[1] Leading halfbreed Chickasaw Chiefs.

Treasury Warrant to James Ferrall.

On the 17th— day of August, the Governor issued the following Treasury Warrant.

To Abner Green Esqr. Treasurer General for the
Mississippi Territory.

Sir,

You will pay to James Ferrall Esqr. out of any monies which may be in the Treasury, two hundred and sixty eight dollars, being the sum which is due him for printing the laws and for so doing this instrument shall be your sufficient warrant.

Given under my hand & seal at the town of Washington this 17th— day of August 1802.

W. C. C. Claiborne [seal]
Governor of the Mississippi Territory.

On the 1st— of may I issued a warrant in favor of Mr. Ferral for one hundred and forty four dollars; I am informed by Mr. Ferral that this warrant has been lost, the Treasurer therefore is instructed to refuse payment if it should ever be presented, since the amount has been included in the warrant I have this day issued.

W. C. C. C.

To John Girault.

Town of Washington, August
17th— 1802.

Sir,

I have this day appointed Mr. Edward Turner Clerk of the county Court for Jefferson County, and to this gentleman you will be pleased to deliver all the records and papers belonging to your late office.

Accept my best thanks for the faithful services you have rendered to the public.

I am

Sir,

very respectfully

yr. Hble. servt.

W. C. C. Claiborne.

Colol. Girault.

To Gov. Claiborne, from Henry Dearborn.

Copy of a letter from the Secretary at War and the Governor's answer.

War Department, June 11th— 1802

Sir,

Information has lately been received from John McKee late agent to the Choctaw nation that a debt of considerable amount was due from the Choctaws to the English house of Panton Leslie & Co. at Pensacola, and that they had proposed receiving from them a tract of land in payment, provided the Government of the United States would sanction the measure.

Mr. McKee appears to be highly in favour of the proposition, as will appear by the following extract of his letter to this department of the 6th— Ultimo.

"I am not able to say whether the nation will agree to the contemplated "cession, but I have little doubt of it, and I am certain they can never "otherwise pay to the traders nor they to this house, the sums now due."

"As far as the house of Panton Leslie & Co. are interested in this ces- "sion it would be but an act of justice to extend them such an indulgence, "and would be only complying with a promise made by the Government "thro' me in the summer of 1797 that they might reasonably look forward "to such indulgencies as would greatly facilitate the effectual and prompt "collection of their debts within our Indian nations."

I cannot tell upon what authority such a promise was made by Mr. McKee on the part of the Government, as it was entirely out of the line of his duty and cannot be considered as in any

manner binding; he ought to have known that no such agreement could be made without the consent of the Government first had and obtained; he ought to have been aware of the extreme impropriety of permiting foreigners to possess a large tract of country among any of our Indian nations.

I will thank you to have such enquiries made thro' Mr. Dinsmoor as will lead to an understanding of the outlines, on which the proposed bargain for the lands was to be made, and to a knowledge of the sum which is due from the nation to the house of Panton Leslie & Co. and which was to be canceled by the proposed cession; and the quantity of land which could probably be obtained.

If a tract of land on the navigable waters of the Alabama or Tombigby could be obtained, which would be worthy the attention of Government, it is possible that congress might think proper to authorize the President to accept it on behalf of the United States and pay the debts.

The President is willing that those claims should be paid; but it will be remembered that the Government of the United States are not in any manner obligated to indemnify any person or persons who may on their own account carry on trade with the Indian nations within their limits.

I have the honor to remain

yr. Excellency's

mo: ob: servt.

H. Dearborn

His Excellency

W. C. C. Claiborne.

To Henry Dearborn.

Near Natchez, August 19th. 1802.

Sir,

Your letter of the 11th— of June was duly received.

I have heretofore understood that the Choctaw Indians were Greatly in debt to the house of Penton Leslie & Co. of Pensacola

and that they (the Choctaws) were desirous to sell certain lands to enable them to meet their engagements. A letter from a Mr. Callier to me upon this subject, I enclosed to you several mails ago, but on the arrival of Mr. Dinsmoor in the nation I will endeavor to obtain more particular information, and will advise you thereof.

The proposition of Panton Leslie & Co. to receive in payment from the Choctaws a tract of land, is indeed unreasonable. These gentlemen have been sufficintly indulged, in being permited to trade with the Indians within our limits; and I am persuaded it would be good policy to withdraw this indulgence for the future. The trading house which our Government contemplates establishing will be sufficient for the accommodation of the Choctaws, & I see no reason why foreignors should be encouraged to become our rivals.

In a letter from Lieutenant Schuyler commanding at Fort Stoddert, I am informed that the Indian Goods which were commited by me to the care of Louis Lefluar, had arrived at that place, were safely deposited, and would be delivered to the order of the agent for the Choctaw nation.

General Wilkinson writes me that he expects to reach the Choctaws in the month of September to make arrangements for retracing & marking the old line of limits.

I was in hopes that I should have been enabled to make you a general militia return by this mail; but owing to the neglect of some of the officers, the returns from the different counties are yet incomplete.

With great respect & sincere esteem,

I have the honor to be

yr. very Hb: servt.

W. C. C. Claiborne.

The Honble

The Secretary of War.

To James Madison.

Natchez, August 19th —1802.

Sir,

In a former letter I stated to you the want of confidence on the part of many of the Citizens of this Territory in their Supreme Judiciary; the deficiency of legal talents in two of the Judges; and the propriety there was, in supplying the first vacancy with a character of good law information.

It is now reported that Judge Tilton has resigned;— of the truth of this report, you can best determine.

But there is another report which I believe more certain, "That this gentleman has gone to Europe on some Commercial business." He is said to have sailed from New Orleans, about two months ago, in a vessel bound to Liverpool. I thought it my duty to state this report, since it may be made a question how far this conduct on the part of a Judge (unless his voyage had been previously sanctioned by Government) ought to be considered as an abandonment of office.

In January or February last, Mr. Tilton left Natchez, and has been attending to his private business, at Orleans until his late departure from that Port.

If Judge Tilton's office should be vacant, permit me to recommend as his successor a Mr. David Ker[1] of this Territory; Mr. Ker is an able lawyer & an amiable man; he unites to pure republicanism, pre-eminent talents and would, in my opinion, fill the office of Judge with dignity to himself & usefulness to his country.

Colol. Steele's Commission as Secretary for this Territory, expired on the 7th— of May last; since which he has not considered himself bound to transact any public business.

I am at much loss for a secretary, and must beg that an appointment of one be speedily made. I will not venture to recom-

[1] Founder of the University of North Carolina, was appointed a judge of the Mississippi Territorial Court November 2, 1802.

mend any particular character for the office, being well assured that any gentleman selected by the President, will discharge his duty with ability and fidelity.

Accept assurances of my great respect, & sincere esteem,

I have the honor to be

Sir,

yr. mo: obdt. Hble. servt.

W. C. C. Claiborne.

The Honble,

James Maddison,

Secretary of State.

To John Pitchylynn Interpreter for Choctaws.[1]

Near Natchez, August 22d 1802.

Sir,

Your letter of the first Instant I received a few days since; and I am much pleased, with your zealous and active exertions in the recovery of Mr. Brackin's property.

The conduct of the chiefs on this occasion is highly satisfactory, & I wish you to say to them that they possess my esteem & confidence.

It is true there are ill-disposed men in all nations, and that mischief from such persons cannot at all times be prevented. But when a man commits an offence, and is punished for it, he will take care not to do so again, and others will be detered from following his example, for fear they may receive a similar punishment. This is the reason why the white men punish their bad men with such severity; and I wish you to enforce upon the Chiefs the propriety of their adopting a similar policy.

[1] The son of an English officer who died in the Choctaw Nation. He was adopted by the tribe, married among them, and was very influential.

I have written to the Secretary at War upon the subject of your claim;[1] and so soon as I receive an answer, will advise you thereof.

I have enclosed you a letter from General Wilkinson to *Mr. Dinsmoor* on public service;— If *this gentleman* should not have reached the nation, you will open the letter and attend to its contents.

I am,

Sir,

very respectfully &c.

W. C. C. Claiborne.

John Pitchleym
Interpreter
Choctaw Nation—

To the Governor from Wm. E. Huling.

New Orleans, 23d. July 1802.

Sir,

In compliance with your Excellency's letter of the 6th- Inst; I have delivered to Serjeant Parsons, who is sent by Captn. Sparks, sixteen boxes of rifle guns which by the marks on the ends appear to contain, one hundred & sixty one guns.

The remainder I will endeavour to put on board the public schooner you speak of when she arrives. We have nothing of her yet.

As the expenses on the guns will be but a trifle and as I had no account open with the U. S. when the remainder are shipped, I will draw on you for the amount.

We are in much suspense respecting our political destiny.[2] It appears to be the wish of the majority of the men of property, to remain as we are.— We have received letters from Philada.

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[1] For services as interpreter.
[2] Transfer from Spain to France.

By the Brig Sophia, as late as the 25th. May; they contain nothing important, except the information that the *Treaty of Madrid* is made null and void. —Our city is as healthy as I have ever known it at this season.

I am,
Sir,
With due respect
Yr. mo: obdt: servt. &c
Wm. E. Hulings.

His Excelly.
Governor Claiborne

To Gov. Claiborne, from P. P. Schuyler.[1]

Fort Stoddert 1st— Augt. 1802.

Sir,

The annuity for the Choctaw nation forwarded under charge of Louis Lefluar, reached here this morning. I have compared the Hogsheads, Boxes &c. with the receipt of Lefluar, & find they agree

I shall, in conformity with your request, give every assistance in my power to the agent conveying the goods up the river.

I have the honor to be
Sir,
with respect
yr. ob: servt.
P. P. Schuyler Lt.
Comm,g—

His Excly.
Governor Claiborne.

[1] Peter Philip Schuyler, New York, Capt. U. S. A., December 20, 1803, second treasurer of the State of Mississippi.

To Daniel Burnett.

Copy of a letter from the Governor to Colol. Daniel Burnett.

Washington, August 22d. 1802.

Sir,

Mr McCaleb handed me your letter of the 21st— Inst. I am much pleased with this young man, and think him well calculated for an officer.

I will appoint a successor to the Ensign who declined, so soon as I can select a suitable character. Will you consult with the Captain of the Company? and if you & him can agree upon a *proper person*, you will be pleased to mention *his name* to me without delay.

Accept my best wishes.

I am,
Sir,
very respectfully
yr. Hb: servt.

W. C. C. Claiborne

Colol. Danl. Burnett

To Henry Dearborn.

Near Natchez August 22d. 1802

Sir

John Pitchlynn an Interpreter for the Choctaw Nation of Indians, has a claim against the United States, which he is desirous to have settled.

It seems that in the year 1786 at the treaty at Hopewell,[1] Mr. Pitchlynn was appointed as Interpreter for the chactaw Indians by the American Commissioners, and that he acted under this appointment in that capacity, until the year '92, when he received

[1]January 3, 1786.

a new Commission as Interpreter from William Blount at that time Governor of the South Western Territory and superintendant of Indian affairs.

Pitchlynn claimed three hundred Dollars pr. annum for his services from the year '86 to the year '92, but his account not being allowed by the proper accounting officers, he petitioned Congress upon the subject, in the year '99, and if my memory serves me right, his claim was admitted by the House of Representatives.

Mr. Simmons the accountant of War, can give you particular information as to Pitchlynns claim, and to him I beg leave to refer you; Pitchlynn is a useful man among the Choctaws, very faithful to the American Interest, and I wish him to be convinced of the Disposition of the Government to admit any of his Just demands.

May I be permitted therefore to solicit you, to make enquiry into this Man's claim and to Inform me, in what situation, it at present stands.

With great esteem and Respect,

I am Sir,

your mo. obt. Hble sert.

(Signed)

William C. C. Claiborne

Henry Dearborn

Secretary of War.

To Henry Dearborn.

Near Natchez September 1st. 1802

Sir;

In my Letter of the 29th of June, I mentioned a Robbery, which had recently been committed by some of the chactaw Indians, and of the measures I had taken to obtain redress.

I now have the pleasure to inform you, that the property taken has been restored and that the chiefs are disposed to discountenance any further outrages as appears from the enclosed Letters to me, from John Pitchlynn the Interpreter among the Chactaws and Andrew Brackin the person robbed.

I do not know what has become of Mr. Dinsmoor, his presence in the nation, is at this time desirable;— It is reported that Dinsmoor has been mortally wounded in a Duel with a Gentleman in Tennessee, but I hope the report is without foundation.

With sentiments the most respectful

I am Sir

your mo: obt. hble. servt.

(Signed)

William C. C. Claiborne

The Honble

Henry Dearborn

Secy. of War

To Gideon Grainger, Postmaster General.

Copy of a Letter from the Governor to the Postmaster General

Near Natchez September 6th 1802

Sir,

I have been requested by a number of respectable Citizens, who feel much interested in the subject, to solicit you to establish a Post office at the Town of Greenville in this Territory.

Greenville is a flourishing little village about 28 miles distant from Natchez, and immediately on the Post road to Tennessee;— It is situated in the Neighbourhood of a compact, populous and Wealthy settlement, is the County Town for Jefferson County, and the place of holding the Superior Court for Jefferson District.

If the Establishment solicited, should be made, permit me to mention Doctor John Shaw[1] who resides in Greenville, as a proper person to be appointed Post Master, he is an honest, well informed American who I sincerely believe, will remain faithful to his Country, and to any trust that may be reposed in him.

With great respect & sincere esteem
I have the Honour to be
Your mo: obt. hble servt.
(Signed)
William C. C. Claiborne

The Honble—
Gideon Grainger

To Peter Walker, Clerk of Adams County Court.

Town of Washington thursday september 9th 1802—

Sir

On tuesday or Wednesday next, I shall appoint a successor to you, as Clerk of the County Court for Adams County, and I have given you this Information, in order that you may be prepared by that time, to deliver the papers of your office, to the Gentleman who may be Commissioned.

I am Sir,
very respectfully
your Hble. Servt.
(Signed)
William C. C. Claiborne.

Peter Walker Esq. Clerk of Adams County Court.

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[1] A member of the Constitutional Convention of 1817.

To Samuel Brooks, Esq., Chairman of Adams County Court.

Copy of a letter from the Governor to Samuel Brooks chairman of Adams County Court.

Washington september 9th— 1802

Sir

I find that the people of this Company District have not been called upon for a return of their taxable property, and I believe, the delay has arisen from the Circumstance, that the duty of receiving the tax List in this quarter, was committed to Mr. William Vousdan lately deceased—

Will you be good enough to enquire into this matter, at the Clerk's office, and if you find that Mr. Vousdan was appointed by this Court, it will be proper to nominate a successor and by the Law three Justices are empowered to do so.

Mr. James Nelson of this Town is an acting Justice, and very capable of discharging any duty appertaining to that office

I am sir

Very respectfully

Your Hble Servt.

(Signed)

William C. C. Claiborne

Samuel Brooks Esq.

Chairman of Adams County Court.

To John Caller.

Near Natchez sepr- 9th 1802

Sir

I some time since, enclosed under cover to you, Commissions for several Gentlemen who had been recommended to me, as fit Persons, to be appointed Captains and subalterns in the 3rd Regiment of Militia.

If the Commissions have reached you, I have no doubt, but they have been distributed, and I flatter myself the Gentlemen appointed, have entered upon their duty, and that there exists a favorable prospect of Organizing the Militia in your County.

I had promised myself the pleasure of visiting Washington District the present fall, but am prevented by my (necessary) personal attention to some publick business in this quarter of the Territory.

I am desirous to learn the extent of Territory in Washington District, to which the Indian claim has been extinguished, and the supposed quantity and quality of vacant Land. Any information which you can give me on this subject will be thankfully received.

I shall be happy to hear from you on the return of Judge Lewis.[1]

Accept my best Wishes,

I am Sir, very respectfully

Your Hble Servt—

(Signed)

William C. C. Claiborne

To Nathaniel Christmas.

Near Natchez September 9th 1802

Dear Sir,

I should have been happy, to have visited Washington County, the present fall, and had promised myself that pleasure, but I am prevented from necessary attendance in this Quarter of the Territory on some Publick Business

I shall esteem it a favour, if you would furnish me, with the best information you can obtain as to the extent of Territory on

[1] Judge Lewis held the territorial court for Washington District.

the Mobile, to which the Indian Claim has been extinguished, and the supposed Quantity and Quality of the vacant Land.

On the return of Judge Lewis I shall expect to receive your answer.

Accept my best wishes.

I am Sir
Very respectfully
your Hble Serv—
William C. C. Claiborne—

To Richard Lee, Clerk of Washington County.

Near Natchez, September 10th— 1802

Sir,

I have enclosed you, several Hand Bills, addressed to the Claimants of Land, within the Mississippi Territory, and I will thank you, to have them posted up, at the most Publick places in your County.

The Claims to be filed, I would wish to be drawn upon separate pieces of paper, with the name of the Claimants annexed, and as they are delivered to you, it is proper, to Class them under their several Heads, in manner following—to-wit—

Letters on the twenty seventh day of October one thousand seven hundred and ninety five holding under British Grants.

Letters on the twenty seventh day of October one thousand seven hundred and ninety five Claiming by any actual survey or settlement, made under the act of Georgia, commonly called the Bourbon Act.

The different Claims being placed into different packets, may be put up in one bundle and Labeled "Claims falling under the second article of the Agreement between the U. States and Georgia

With respect to the other species of Claims mentioned in the Hand Bill, you will be pleased as they are delivered to Class them in the same regular manner under their different heads and they may be put in a bundle, to be labelled

"Claims not falling under the Guaranty of the second Article "of Agreement."

By the first opportunity after the first of November, you will be pleased to forward to me, the Claims which have been filed.

I am aware that this business, will be attended with much trouble, but after the duty is performed, I shall ask permission of the Secretary of State, to make you some compensation, for your personal services.

As to the manner of Drawing up the Claims, the Hand bill, will be the best guide. The Source from whence the Claim arose, and the dates of the Titles must be particularly noticed, and where actual settlements strengthen the Claim, the period when the settlement was made must be stated.

I am Sir very respectfully

Your Obt— Servt—

(Signed) William C. C. Claiborne.

To the Governor, from James Madison.

Department of State July 26th. 1802

Sir;

Herewith enclosed is a copy of the agreement entered into on the 24th of April last between the Commissioners of the part of the United States, and those on the part of Georgia,[1] duly authorized for that purpose, which agreement was ratified by the Legislature of that State on the 16th of June last.

[1] United States Commissioners, James Madison, Albert Gallatin, Levi Lincoln. Commissioners for Georgia, James Jackson, Abraham Baldwin, John Milledge.

According to the Act of Congress of May 10th 1800 the Commissioners of the United States authorized to settle the terms of a Compromise with the State of Georgia, are further authorized to enquire into the Claims which are or shall be made by settlers or any other persons whatever, to any part of the Land, in Question; and to receive from the Claimant, propositions of Compromise, and lay a full statement of the Claim, and propositions, together with the opinion of the Commissioners thereon before Congress, for their decision.

Of the Claims to be made, a part is defined and recognized in the 2d Article of the Agreement, under the Head of grants legally Executed to actual settlers within the Territory ceded to the United States prior to the 27th Octr- 1795 by the former British Government of West Florida or by the Government of Spain; and under the head of Claims derived from any actual survey or settlement made under the Law of Georgia passed Feby. 7— 1785, entitled "An Act for laying out a District situate on the river Mississippi and within the bounds of the State into a County to be called Bourbon" An extract from this Act is also herewith inclosed.

To enable the Commissioners to make the proper report to Congress on this part of the subject, you are requested to furnish them with the best information you can obtain; first with respect to the extent of Territory both on the Mississippi and the Mobille, which has been relinquished by the Indians: secondly with respect to the claims recognized by the second article of the agreement with Georgia. To make this last Information as accurate and full as possible, It may be well, to invite the Claimants by Public advertisement to file prior to the first of November before the proper County Officers, the particular authority and extent of their respective claims and the Chain of tittle derived to the present Claimant, from the original tittle; The Commissioners hope that you will be able to state to them particularly the manner in which grants were made and *completed* under both the British and Spanish Governments; this information being

necessary for the use of Congress in carrying the 2d Article of the agreement into due effect. Should it be found impossible to render the Information on these points Complete, you will notwithstanding be pleased to forward the best you can collect.

The other Claims to be enquired into and and which tho' not recognized, fall within the report to be made to Congress, are first, and principally, such as are grounded on alledged grants of Georgia subsequent to the Bourbon County Act. With respect to these claims, it is not desired that you should make any public call for information; but you will oblige the Commissioners by enquiring and communicating what or whether any steps have been taken in behalf of the Claiming Companies towards settling, selling out, or surveying any part of the Land; and particularly whether any tract is now actually occupied by any of these Claimants secondly, Claims if any, derived under the French Government previous to the peace of 1763. Thirdly. Claims derived under the British and Spanish Governments previous to the treaty of 1795; but unaccompanied by actual settlement at the date of the Treaty. Fourthly. Claims derived under the Spanish Government by grants made subsequent to the Spanish Treaty of 1795. Fifthly. . Claims founded on the 3d section of the Bourbon County Act of Georgia. The four last descriptions of Claimants may also be publicly invited to give a statement of their respective claims by the first of November that they may be transmitted by you in due time with the others. It is proper that the Claimants in these cases should be aware, that their Claims not being included in the guaranty of the 2d Article of the compromise with Georgia, the Consideration of them by Congress will be barred by the 3d Article after the period of one year from the assent of Georgia to the instruments of Compromise.

In calling for the information wished from the Claimants, not included in the guaranty, it will occur to you as proper to use a language neither committing the Government on one hand, nor damping expectations too much on the other. It being uncertain what degree of strictness or liberality may be exercised

by Congress, the present measure must be limited to the Collection of such information as may enlighten or influence their decision. With this view, you cannot be too particular in explaining the nature and extent of the several classes of Claims, to which may be usefully added, the number of persons who will be affected by the decision on each Class. It may be satisfactory also to know the General sentiments and expectations prevailing in the Territory on this subject.

Should there be claims of any sort within the Territory which have escaped the above enumerations, you will oblige the Commissioners by adding a particular account of them, as well by communicating your estimates of the General extent of Territory not claimed by the Indians, of the aggregate quantity of Land Covered by claims under the 2d article of the Compromise, and the like aggregate of all other claims.

It need not be suggested to you that where records of claims exist, suitable extracts from them will be proper nor that it will be expedient to complete and transmit your communications with as little delay as possible

It only remains for me to ask your excuse for the heavy task which is imposed on you, and to assure you of the great respect & esteem

With which I have the
honor to be, Sir, your ob. Servt.

(Signed) James Madison

Governor Claiborne

To James Madison.

Mississippi Territory Town of Washington,
September 12. 1802

Sir

On the 8th Instant, I had the honor to receive your Communication of the 20th of July, and on the next day, I published a

hand Bill, addressed "to persons Claiming Lands within the Mississippi Territory, and of which the enclosed is a Copy.—

In my publication, I have endeavored to comply literally with your instructions, and I trust the Language which is used, cannot be construed "as Committing the Government on one hand, or damping expectations, too much on the other."

There exist a variety of Tittles for Land in this Territory, and I fear, it will not be in my power, to detail them with accuracy, but I shall carefully collect the best information, within my reach, and will make a General Communication to you, on the subject early in November.

I find that some designing men are endeavouring to impress upon the Citizens an opinion, that the filing of their Claims will be injurious to them; I do not yet know how far they may succeed; It is however probable, that they may excite some alarm, and prevent a General return of Claims.

Under cover of a letter, which I addressed to you, on the 20th of January last was enclosed a Communication made to me, by Mr. Harding, at that time, the Attorney General for this District, stating the situation of some Claims for Land: A Copy of Mr. Harding's Communication having been mislaid in my office, I will thank you to furnish me with *one* from your files.

With great respect and
Esteem
I am Sir
your most obt. Servt.
(Signed) William C. C. Claiborne

The Honble— James Madison
Secy of State

Hand Bill.

TO

PERSONS CLAIMING LANDS

within the

MISSISSIPPI TERRITORY.—

The agreement for an amicable settlement of limits with the State of Georgia, which was entered into on the twenty-fourth day of April last, between the Commissioners of the part of the United States, and those on the part of Georgia, duly authorized for that purpose; and in which agreement, Georgia has ceded to the United (States) all her title and claim to the Jurisdiction & soil of the Lands situated in the Mississippi Territory, was ratified by the Legislature of that State, on the sixteenth day of June last.—

By the second article of the aforesaid agreement it is declared—"That all persons who, on the twenty seventh day of October, one thousand, seven hundred and ninety five, were actual settlers within the territory thus ceded, shall be Confirmed in all the grants, Legally and fully executed prior to that day, by the former British Government of West Florida, or by the Governor of Spain, and in the Claims, which may be derived from any actual survey or settlement, made under the Acts of the State of Georgia, entitled "An Act for laying out a district of Land, situate on the River Mississippi, and within the bounds of this State into a County to be called Bourbon," passed the seventh day of February, one thousand, seven hundred and Eighty five.

The undersigned has been directed to furnish the department of State, with the best information he can obtain, as to the extent of the claims recognized in the said article of agreement with Georgia. And to enable him to render his information upon this subject as accurate and full as possible, he is instructed

to invite the Claimants falling under the article aforesaid, to file prior to the first day of November next, in the office of the Clerk of the County Court, in which the land claimed is situated, the particular authority and extent of their respective claims, and the chain of title, derived to the present Claimant from the Original title; taking care to note particularly their dates.

The Clerks will be directed to give due attendance at their offices, until the day above mentioned; and it is hoped, that the Claimants whose Interest is so immediately involved, will punctually attend to this invitation.

There are other Claims for Land in this Territory, which the undersigned has also been instructed to enquire into and report the same, to the department of State, among which are:—

First. The claims (if any) derived under the French Government, previous to the peace of seventeen hundred and sixty three.

Second. Claims derived under the British and Spanish Government previous to the twenty-seventh day of October, one thousand, seven hundred and ninety five, but unaccompanied by actual settlement at that period.

Third. Claims derived under the Spanish Government subsequent to the Spanish *treaty* of one thousand seven hundred and ninety five.

Fourth. Claims founded on the third section of the Act of Georgia, commonly called the Bourbon Act, and not accompanied by actual survey or settlement prior to the twenty seventh day of October one thousand seven hundred and ninety five and which said third section is hereunto annexed.

The Claimants, in these cases, are also requested to file with the Clerk of the County, where the land is situated, a particular statement of the nature and extent of their Claims, by the first day of November next, and they shall be transmitted with the others to the department of State. As those descriptions of Claims are not included in the guaranty of the second article of the Compromise with Georgia, the Consideration of them by

Congress, will be barred by the third article after the period of one year from the assent of Georgia to the Instrument of compromise; It is therefore highly necessary, that the persons interested, should without delay, make known their Claims, in order that the same may be reported to the Government.

Those persons who may be at a loss for the form of stating the Claims to be filed, may receive information, upon application to the respective Clerks.

(Signed), William C. C. Claiborne

Town of Washington september 9th 1802

Section 3rd— of Bourbon County Act.

Extract from an Act, entitled, "An Act for laying out a district of land situate on the River Mississippi, and within the Limits of this State, into a County to be called Bourbon.

Sectn— 3d And whereas it will not be proper at present, to open a land office, for the purpose of granting out the lands in the said County, but nevertheless it is hereby enacted and declared, that whenever that measure shall be determined upon by this or a future Legislature, there shall be right of preference, agreeable to the Laws of this State, reserved to any, all, and any honest and friendly possessor and possessors of the said Lands, who shall be citizens of either of the United States, or the subjects of any power that was friendly to the United States, during the war: Provided such persons do actually live on and cultivate the said lands, or a part thereof, and shall apply and present themselves on equal terms with other petitioners.

To Peter Walker,

Copy of a Letter from the Governor to Peter Walker Esquire.

Town of Washington
September 14th 1802

Sir,

Mr. David Ker being appointed your *successor as Clerk* of *Adams County Court*, you will be pleased to deliver to him, all the Records and papers belonging *to that office.*

Accept my thanks for the
faithful services you have
rendered the publick.—
I am sir with respect, your
most obt. Servt
William C. C. Claiborne

Peter Walker Esq.

To James Hoggatt.

Natchez September 15th 1802

Sir,

Upon your application, Captain Claiborne[1] will deliver to you, twenty two Rifle Guns, which I wish you to dispose of to such of the Militia in your neighbourhood, as may be in want of Arms upon the following Conditions— 1st Every Citizen applying for a Rifle, must produce a certificate in writing from his Captain, that he is regularly enrolled in his Company and is in want of Arms.

2d The Certificate being satisfactory the applicant for a Rifle, must pay for the same fourteen Dollars, in cash, or he must give his note (with his Captain as security) to the Governor of

[1] F. L. Claiborne, brother of the Governor.

the Mississippi Territory for fourteen dollars to be paid in cash, or in Cotton delivered at Hoggatt's Gin, at cash price, on or before the first day of February 1802.

The certificates which may be received you will be pleased carefully to preserve.

Accept my best wishes
I am Sir
Very respectfully
Your obt. Servt.
William C. C. Claiborne

Capt. James Hoggatt

To Gov. Claiborne from Henry Dearborn.

War Department
28th July 1802

Sir

I have the honor to inform your Excellency that Mr Thomas Peterkin has been appointed Factor for the United States at Chickasaw Bluffs, and will immediately proceed to the place of his destination. I assure myself that you will afford him such advice and assistance (on his application) as ciraumstances or situation may render proper and necessary.

Accept Sir, the assurances of my high Consideration
(Signed)
H. Dearborn

His Excellency Gov. Claiborne.

To Henry Dearborn.

Copy of a Letter from the Governor to the Secretary of War.

Mississippi Territory
Town of Washington September 17 1802

Sir

I have the honor to enclose you "A General abstract of the "number and strength of the Militia of the Mississippi Territory "as taken from the several Inspection Returns for the month "of August 1802,"— You will discover that many of the privates are yet unarmed, but I flatter myself, this Inconvenience will soon be remedied —The Rifles (which were sent me) are in high Estimation among the Militia, and the probability is, they will all be sold, upon the conditions, I have prescribed, which are as Follows:—

First Every Citizen applying for a Rifle, must produce a Certificate in writing from his Captain, stating that he is regularly inrolled on his Company, and in want of Arms.

Second: The Certificate being satisfactory, the applicant for a Rifle, must pay for the same, fourteen Dollars in cash, or he must give his note for that sum (with his captain as security) to the Governor of the Territory, to be paid in Money or in cotton, at cash price, on or before the first day of February next.

Upon these conditions I suppose the Rifles will speedily be disposed of to the Militia.

I fear the price is too much reduced to remunerate the United States, the Original cost, but I found it necessary to fix upon a low price, to induce the Citizens to purchase.

As to the Muskets, they are in no demand among the Citizen Soldiers, and I cannot persuade them of their utility— I have received from New Orleans 163 Rifle Guns, and about 100 stand of Muskets, from Fort Adams, which are at present deposited in a small Block House near the Town of Washington; The Balance of the Rifles, will be conveyed to me from New Orleans by the first opportunity.

In looking over the Militia return you will discover, that a Brigadier General is wanting to complete the Establishment, and I will thank you to mention to the President of the United States, the propriety of appointing this officer.

The Brigade is at present commanded, by Colonel Benajah Osmun of the first Regiment of the Mississippi Militia, and I must ask the liberty, to recommend this Gentleman, for the appointment of Brigadier General; he is an honest man, and a valuable officer, was a Captain in the New Jersey line, during the Revolutionary War, and served with reputation, and from his military experience and Great Zeal for the good of the service, I have already received from him, much assistance in Organizing the Militia.

Your Letter of the 28th of July, announcing the appointment of Mr- Peterkin, as Factor for the United States, at the Chickasaw Bluffs, I have had the honor to receive, and I shall with promptitude and pleasure give to Mr Peterkin "such advice and assistance on his application as circumstances or situation may render necessary and proper."

The Report of Mr. Dinsmore's misfortune which I mentioned to you in my last in confirmed— It seems he was wounded in a Duel, at the mouth of Bear Creek by a Captain Johnson of the Army, and by the last account, his life was dispaired of:

Accept Sir assurances of my

Respectful Consideration

William C. C. Claiborne

The Honble—

H. Dearborn

To Mathew Tierney.[1]

Town of Washington september
19th 1802

Sir

Twelve or fourteen days ago, I addressed you a Letter in which you were invited to attend at my House on Business of some importance— From your delay in coming down the probability is that My Letter has miscarried, and I find myself under the necessity of dispaching a special Messenger to your House.

The enclosed packet contains thirty hand Bills, addressed to the Claimants of Land in this Territory, and your Instructions, which are also herewith forwarded, will point out to you, the part I wish you to act.

I am aware that the task imposed upon you, will prove troublesome, but I am certain you will execute it with fidelity.

With great respect and regard

I am Sir

Your Hble servt

William C. C. Claiborne

Instructions to Clerks of County Courts.

The following-

Instructions were given by the Governor to the Clerk of each County Court within the Mississippi Territory

1 Your are furnished with thirty Hand Bills, addressed to "Persons Claiming Lands within the Mississippi Territory" which you will have posted up, at the most publick places in your County.

2d You will let it be known, where your office will be kept, and you will attend yourself at the office, or have some person

[1] Clerk of Claiborne County.

there to act for you, Every day, sundays excepted untill the first of November next

3d You will file no claim unless the name of the Claimant or his agent, be annexed to the discription of the Claim.

4th As the Claims are delivered in you will Class them under their several heads in manner following towit

Settlers on the 27th of October 1795 claiming under Spanish Grants

Settlers on the 27th of October 1795 claiming under British Grants

Settlers on the 27th of October 1795, claiming under an Act of Georgia commonly called the Bourbon Act

Those different claims you will carefully put up into seperate Bundles.

5th With respect to the other discription of Claims mentioned in the Hand Bill you will, as they are delivered, class them in the same regular manner under their different heads and place them in Different Bundles

6th Upon application you will give information as to the form of describing a Claim, and for that form, the Hand Bill will be your best guide; the source from whence the claims arose and the dates of the Titles must be particularly noticed and when an actual settlement strengthens the Claim the period when the settlement was made must be stated

7th If a loose and uncertain description of a Claim should be offered you will point out its defects, and endeavour to have them rectified.

8th On the morning of the first of November you will set out yourself or send a Confidential person with the Claims which may be filed to my office.

To Gov. Claiborne, from David Rawn.

Copy of a Letter from David Rawn.

Treasury Department
Comptroller's office
August 13th 1802

Sir

In consequence of the Comptroller's absence from the seat of Government, it becomes my duty to acknowledge the receipt of your letter dated the 1st ultimo, accompanied by an account for stationary furnished your office during six months ending on the 30th of June last.

As the accounts for stationary and other contingencies have heretofore been rendered and settled in the name of the secretary of the Mississippi Territory it appears necessary for the Treasury to be informed whether this be a part of, or in addition to the Claims which may be exhibited for contingencies, by that officer. Be good enough to favor me with an early reply

I have the honor to be sir
With great respect
your obt. servt.

David Rawn
Pr. Clk

William C. C. Claiborne Esquire

To David Rawn.

Mississippi Territory
Town of Washington septr. 21st— 1802

Sir

Your Letter of the 13th ultimo reached me, on last evening and in reply thereto I have the honor to inform you, that the account rendered for stationary furnished my office, for six months,

ending on the 30th of June last, will not be included in any Claim which may be exhibited for Contingencies by the secretary for this Territory.

From the commencement of the present year, stationary has been furnished my office, upon my own order and if it be not inconsistent with the Rule of proceeding at the Treasury I shall in future render a General account of expenditures for stationary, office-Rent, and other contingent expenses in this Territory.

It appears to me, that the Government ought to be held responsible, for the Contingent expences of this Department and that it might be proper, for all charges falling under that head tc be rendered by and settled in the name of the Governor

I have the honor to be Sir

With great respect

your obt Servt.

William C. C. Claiborne

David Rawn Esq

Pr. Clk comptroller's office

Appointments of Various Officers.

October 1st 1802.

During the last three months, the Governor made the following appointments

In ADAMS COUNTY.

James Guice James Nelson F. L. Claiborne	Justices of the Peace
David Ker	Clerk of the County Court vice Peter Walker removed.
William Nelson	Coroner vice W. Brooks resigned.

In WILKINSON COUNTY.

Joshua Baker	Coroner.

In WASHINGTON DISTRICT.

Thomas Malone	Clerk of the superior Court.
Nicholas Perkins	Attorney General

For militia appointment during the last three months, reference may be had to the office of the Brigade Inspector where they are duly recorded.

To Gov. Claiborne from James Wilkinson.

Fort St. Stephens[1] Sept- 18 1802

Dear Sir

Prosecuting my Orders relative to the Chactaws, I descended the Tallapousir and the Alabama Rivers, and arrived at Fort Stoddard the 11th Inst, where I found the letter you were so good as to forward me to that place— The illness of the officers of that fort detained me untill the 15th, I reached this place a few Minutes since, in season, Just so, to avail myself of the opportunity by Mr McGrew to drop you this line, and to recommend to your particular attention the letter enclosed, the prompt arrival of which to its destination, is important to the public service; my time will not permit details, but having advised that my Orders from Government should be enclosed to you, it is material you should be informed, that I proceed hence by Water to fort Confederation[2] on this River from thence to the point where the Agent may have convened the Indians, there to remain not longer than the 10th of next month, after which I shall proceed by the

[1] On the Tombigbee River, erected by the Spaniards in 1789.
[2] Up the river from St. Stephens

shortest Rout to the mouth of the Yarsou River, to commence the resurvey and remarking of the old line of Limits— This is my intention & I can see no obstacle to the extention, at the same time that I flatter myself, I shall be able to promote measures, more extensive in their salutary consequences to this Territory & the United States—

I have with me the Indian Goods which you forwarded to Fort Stoddart, the transport of which by water 250 Miles beyond this point, will test the navigation of this stream — I have found the Alabama bolder and more safe than the Ohio, tho' not more than one fourth its width. —I am here on tide water & am assured I shall take the swell of the Ocean with me sixty miles higher.

I left Charleston a little more than a month since and passed by savanah, where I left the amiable Governor Tattnal ill in Bed, & poor Jackson, whose wound has been closed before it was properly cleansed, in a situation at once painful & dangerous.— I have not time for more than my best wishes to & for you and yours

Your Friend

(Signed) Ja Wilkinson

Govr Claiborne

To James Wilkinson.

Town of Washington
October the 3d 1802

Dear Sir

A few days ago I had the honor to receive your communication of the 18th ultimo, together with the Letter enclosed, which was immediately forwarded to its destination

I fear Mr Dinsmore's absence from the nation, will prove injurious to your mission, or at least delay the execution of your intention.—

The letter you addressed to Mr. Dinsmore some time since, and which came under cover to me, was transmitted to John Pitchlinn, with instructions, that if the agent had not arrived he (Pitchlinn) should open the Letter, and comply with its contents;— I hope that thro' this Channel the Choctaw Chiefs, have been advised of your approach, and may readily be convened in Council

The only information I have received from the Government, in relation to your orders, was contained in a Letter from the Secretary at War, of the 7th of June last; speaking on the subject of the line, the Secretary writes thus "General Wilkinson has received directions from this Department to superintend the preambulating the boundary line between the Mississippi Territory and the Choctaw nation, but as some doubts arise respecting this line, he will not proceed in this Business unless the Choctaws will first consent to accept of some reasonable sum to establish the line which was agreed on Between that nation and the British Government in a Treaty which was held some time before the Spanish Government came last into possession of the Floridas.

Should General Wilkinson succeed with the Choctaws in obtaining their Consent (and of which you will be informed) I have to request that your Excellency will appoint som capable person to assist him as a surveyor, and also to procure chainmen, packhorses provisions and stores, on the most reasonable terms; Your Bills on this Department for any expence which you may incur in the Business will be accepted and paid on the shortest notice."

So soon therefore as I am informed, that the object of your mission is accomplished, I will with promptitude execute the duty required of me— But previous to making any arrangement on my part, it would afford me great pleasure to confer personally with you on the subject, and I do hope, you may find it convenient to pay me a visit before the retracing of the line is commenced— I would willingly meet you at the mouth of the River Yarsou but there is at present no Secretary in this Territory,

to whom I could commit the Burthens and Cares of the Executive Branch of this Government.

I am glad you carried with you to the Nation the Indians goods which I forwarded to Fort Stoddart and I flatter myself, you have directed their distribution.

In consequence of the absence from the Nation, of the agent, I am intirely uninformed of the present State of the Choctaw agency, I sincerely regret the misfortune which befel Mr Dinsmore on his Journey but his conduct surely was very imprudent.

Accept of my best wishes

I am Dear Sir

Your Friend sincerely

William C. C. Claiborne

General Wilkinson.

To Gov. Claiborne from John McKee.

Mount Dexter Sep. 12. 1802

Sir

Information has been given here that the white people are settling in advance of the Rocky spring Eastward.— That place has heretofore been pretty generally considered as a point thro' or near which the line would pass— But wherever it may pass, as it is soon to be retraced & remarked, any extention of settlement at this time will create uneasiness in the nation and tend to embarrass the commissioners in retracing it.

I am induced to obtrude these observations on your excellency from a report that these new settlements have excited considerable uneasiness in the upper town District, to such a degree that I fear the settlers will not be safe till the line is ascertained.

Mr Dinsmoor has not yet arrived here and my last accounts are unfavourable to the Hope of his recovery

I am respectfully

Your Excellency

obedient servant

(Signed) John McKee

His Excellency

Governor Claiborne

To Daniel Burnett.

Near Natchez October 3d 1802

Sir

I have this morning received information, that the Chactaw Indians, are greatly dissatisfied in consequence of some settlements which the white people have lately made in advance of the Rocky spring Eastward and that the lives and properties of these Settlers are in Danger of attack.

You will therefore proceed without delay to the settlements alluded to, advise the people of their danger, and direct them in my name, to retire with their families and property to some place at least one mile on this side of the Rocky Spring.

The old line of limits, between the United States, and the Chactaw Indians, will shortly be retraced:— an opinion has generally prevailed among the Indians, that the line would pass at or near the Rocky Spring and consequently any extention of settlement at this time, cannot fail to excite uneasiness in the nation and may embarrass the Commissioners in Establishing the True Boundary.

You will read this letter to the Citizens, and express to them my great desire, that a compliance on their part, with my request, may supercede the necessity of my taking any further measures on this occasion.

You will advise me of the result of your interview with the settlers.

With respect and regard

I am Sir

Your most obt Hble, Sert-

William C. C. Claiborne

Colo Daniel Burnet

To Henry Dearborn.

Near Natchez October 4th 1802—

Sir

Enclosed is a Letter which I have received fron General Wilkinson and a Copy of my reply, as also a Communication to me from John McKee late agent for the Chactaw Nation, and a copy of a letter which (in consequence of Mr McKee's information) I addressed to Colo. Daniel Burnet of the 4th Regiment of the Mississippi Militia.

I have the honor to be

Sir,

your Hble— Servt-

William C. C. Claiborne

The Honble—

H. Dearborne

To Samuel Mitchell.

Near Natchez October 4th 1802

Sir

On yesterday Mr Goodrich delivered to me, your Letters of the 27th, 28th, 29th of August, and of the 8th ultimo, and I thank you for the information they contain.

I am pleased with your efforts to advance the Happiness of the Chiccasaws and I flatter myself, that the Habits of Industry and of Civil life will soon acquire such an ascendency in the nation, as to banish from the land, that attachment to Idleness, which has hitherto, so much impeded the progress of Civilization.

While you exercise all the Means in your power, to excite the Chiccasaw Men to agricultural pursuits, you will be equally Zealous in encouraging a spirit of Domestic Economy among the women;— It seems to me advisable that you should continue to supply them with wheels and Cards and also to retain in your employ the weaver.— If you could induce a few young Indian Girls to pass some time with the Weaver, and he would undertake to teach them, an adequate compensation for his trouble, may be made him.— It would also be a prudent measure to place a few active Indian Lads with the Wheele-maker.

The desire which my old acquaintance Major George Cobert[1] has expressed, to have his son educated in the United States, shall be communicated to the Secretary at War and you shall be advised of his answer.

A trading house for the accommodation of the Chiccasaws, is Established by the United States at the Bluffs,[2] and I am persuaded that they (the Chiccasaws) will soon be convinced of its utility.—One thing is Certain, their wants will be amply supplied, and upon more moderate terms than they could be procured from private adventurers; the article of Iron for instance and Iron tools may generally be procured at the Bluffs, and for a price, not more than sufficient to remunerate the United States the Original Cost.

So much of the Indian intercourse Law, as relates to the purchase of horses from Indians, it may be well to give a liberal construction to and in the cases, which you enumerate where travellers thro' the Wilderness have had their Horses stolen, strayed or tired they might be permitted, to obtain a supply in

[1] Halfbreed chief of the Chickasaws.
[2] Present location of Memphis.

the Nation, as a Matter of necessity, but you will take care, that this privilege be not carried too far, and the salutary provisions of the Law evaded altogether.

I am aware, that your situation on the Road subjects you to many visits from travellers, and not infrequently to inconvenience and expence; these considerations (and others which you enumerate) may be urged as Reasons for an increase of salary, and will no Doubt, receive their due weight from the secretary at war to whom your Letter to me shall be transmitted.

You did right to exercise all your influence to bring about a peace between Chiccasaws Chactaws, and the Asages.—By the Treaty with Spain the United States are bound to restrain the Indians residing within her Limits from waring with those Tribes situated situated within the Spanish Territory— You will therefore persevere in your efforts to effect an amicable settlement of differences, and I request you to assure the Chiccasaw King, his chiefs and warriors that the President of the United States has no greater wish than to see the Chiccasaw Nation happy and at peace with all the world

I am Sir

with great respect

your Hble— Servt.

William C. C. Claiborne

Saml. Mitchell Esq

Agent for the Chiccasaws

To Henry Dearborn.

Near Natchez October 5th 1802

Sir

I have the honor to transmit you several Letters, which I have lately received from the agent for the Chiccasaw Nation, together with a Copy of my answers.

Mr Mitchell seems desirous to be remunerated certain expences, which he has incurred in erecting a house for his accommodations and also solicits an increase of salary, the Reasons offered in support of his request, are contained in his Letter enclosed.

It seems that Maj. George Colbert a man of Great influence (and deservedly so) among the Chiccasaws desires that his son should be educated to the Northward, under the Patronage of the Government;— I have informed Colbert, that his wishes should be made known to you, that so soon as your answer was received, it should be communicated to him.

I have understood that Mr Dinsmore is nearly recovered of wound, and had proceeded on his Journey to the Choctaws

With sentiments of esteem and respect

I am Sir

Your most obt. Hble— Servt.

William C. C. Claiborne

The Honble—

H. Dearborn

Secty at War

To Gov. Claiborne from Joshua Wingate.

War Department August 24. 1802

Sir

The Secretary of War being absent, I have the honor to acknowledge the receipt of your favor of the 20th ulto covering a draft of a Scite for a Garrison.

I am respectfully your

Huml. Servt-

Joshua Wingate Inr. C. Clerk

His Excellency

Wm— C. C. Claiborne

To Gov. Claiborne from Silas Dinsmore.

Camp 30th— mile south of Tennessee
September 19th 1802

Sir

By detention & change of rout to the Choctaws, I am run short of cash, an article difficult to be procured in the Chickasaw woods. Mr Lenton the bearer has however furnished me with forty five dollars to answer my present demands, for which sum I have the liberty, without your leave, to draw on you at sight, & request you to honour the draft as it is to meet the Contingent expenses of the Indian department under your superintendance. I expect in about six weeks to pay my respects to your Excellency in person, & receive from you instructions, & such information & advice as you may please to give relative to the Choctaws & their connections

I am Sir
your very obedient servant
Silas Dinsmoor
agent to the Choctaws

His Excellency
Governor Claiborne

To Gov. Claiborne from Drs. D. &. W. Lattimore.

Natchez,
October 1: 1802

Sir,

We avail ourselves of the first leisure to report to your Exlency, relative to the occurrences at the small pox camp, which was erected in the spring, and for which, you were pleased to appoint us the attending Physicians. The persons carried to this camp, were Daniel Cameron, Peter McGachan, Benjamin Dill,

John Sranklin, —— Canary, Charles Williams, Nathan Thompson, a black man in the charge of Mr. Jeremiah Routh, Mrs: Crab, a young man under Colo: Gaither, and a negro boy, belonging to Mrs. McCabe.—

The two first, of the above mentioned persons, were as they confess inoculated for the small pox, in New Orleans, and broke out with it on their arrival at this place. The next six took it in the natural way in the aforementioned town or other parts of his Catholic Majesty's dominions, and broke out with it on their journey to or arrival in the Territory. The last three, were, as your Excellency knows, inoculated in this town.

The five inoculated persons had the disease lightly; the other six who took it by contagion, had it in general to a degree of dangerous, and in two cases of fatal severity. The deceased are Charles Williams and Nathan Thompson, the former a citizen of Kentucky, the latter of this Territory. While your Excellency deplores with us the loss of these unfortunate young men, your mind, cannot be but considerably alleviated from this consideration, that the exercises of humanity have not been wanting to prevent such an issue. For your Excellency's solicitude, for the comfort and recovery of the afflicted, has been evinced, as well by personal attendance, at the scene of their sufferings as by official acts of Executive authority. To the humane and provident attentions of Mr McCormick, also they are much indebted, for a supply of provisions &c suitable to their respective conditions, and of those who were subordinately employed for their assistance, we know of no injurious neglect of duty. Upon the whole, from all that we could discover, from our daily attendance, we conceive that no one has ultimately suffered through inattention, whatever temporary inconveniences, the occasion naturally & unavoidably involved.

In addition to the eleven cases at the camp already mentioned, four others were afterwards discovered, which appear to have been caused by imprudent and obstinate visits to the Camp, and by a premature and unpermitted departure of a patient from

the same. The first instance alluded to Mrs. ——— who took the disease herself, and afterwards communicated it to her negro boy, who as we have heard, broke out with it on the Bayou Pierre. The other alludes to John Franklin (a little boy) from whom there is great probability, the infection was communicated to Miss Patsey Kitchen, from whom again it was communicated to her mother Mrs. Kitchen.

While reporting to your Excellency the conduct of those, who, contrary to well known restrictions visited and left the Camp, and thereby propogated the contagion; we cannot omit mentioning, the shameful elopement of Canary, a full week before he would have been entitled to the legally requisite Certificate. This man, (who is an inhabitant of Kentucky) was carried to the camp while labouring under an attack of great severity, and received all that attention which his situation required; but no sooner had he experienced the salutary effect of his humane treatment than he availed himself of his recovering strength and clandestinely departed leaving the burthen of his expenses to fall on the government, notwithstanding he carried with him several hundred dollars.

The well known exertions which your Excellency, used to preserve this Territory, from the small pox, and the influence you have exercised in favor of vaccination, induce us to believe that you will be highly gratified to hear, that the latter has prevented the ravages of the former, by a very general circulation. We conceive that two thirds of the inhabitants must have undergone vaccination; and in no one case, that we have heard of has it produced mortality; it is not easy to say what might have been the fate of this menaced country, without the advantage of this invaluable preventative; but it would seem as if, its opportune arrival among us was something providential. No case of smallpox, as far as we know, exists now in the Territory. The vaccine virus, from an indispensible attention to the sick, we fear is extinct also: it was however, long enough in existence for all those who wished to experience its beneficial influence.

Permit us, Sir, to avail ourselves of the present occasion to declare, that we are with sentiments of great respect your Excellency's most obedient Servants

(Signed) D. &. W. Lattimore

To Drs. D. & W. Lattimore.

Town of Washington
October 5: 1802.

Gentlemen,

I have the honor to acknowledge the receipt of your communication of the 1st. instant.

The establishment of the hospital camp was resorted to, as a means of securing the people of the Territory, from an afflicting, and not unfrequently a mortal malady:— but the timely introduction of the vaccine disease, was indeed the only effectual barrier, which could have been interposed, and I am happy to learn, that so many of my fellow citizens have availed themselves of this invaluable preventative against the ravages of the small-pox.

I regret the death of two young men you have mentioned, but it is a pleasure to me, to know, that every attention was paid them, which benevolence dictated, and their situation admitted of.

Accept gentlemen, my thanks, for the attention and humanity, with which the duty assigned you was discharged and I pray you to be assured of my great respect and sincere esteem

I am &c

signed- -William C. C. Claiborne

To Israel E. Trask, Brigade Major of Militia.

Town of Washington Octobr 9t. 1802.

Sir

You will proceed without delay to the County of Washington, on your arrival, you will announce yourself, to the Major Commanding the 3d Regiment of Militia, and desire him to convene the officers of the Regiment, at some Convenient place, when you will attend, and perform the Duties required of you by Law.

You will endeavour to impress upon the minds of both officers and privates, the safety which a well regulated Militia, would afford to the District of Washington, and to excite that Military spirit, which can alone give respect and energy, to our Militia System.—

You will make no unnecessary stay in Washington, and will use all due diligence, to return to Natchez by the 28th day of November: on your arrival at Natchez, you will announce yourself to me, and be prepared to make a General Report of the State of the Militia, in Washington County.

Wishing you an agreeable Tour.

I remain.

with great respect,

Your Hble Servt

William C. C. Claiborne

To David Berry.[1]

Town of Washington October 13th 1802

Sir,

Complaint has been made to me upon Oath, by Daniel Grafton, that a party of Choctaw Indians, eight in number, had commited some outrages upon his plantation, and from their threats, Mr Grafton apprehends further injury.—

[1] Interpreter for the Choctaws.

The Indians are supposed by Mr Grafton to be encamped near to his corn field and I wish you to proceed to their camp, and represent to them, the impropriety of their Conduct.

I should be glad to have those Fellows brought before me, and I wish you to have recourse to all the artifices in your power, to induce them to visit me.

Mr Grafton and two or three other men will accompany you, if you desire it, but you must not permit the Indians to be abused.

I will reward you liberally for the trouble you may take in this Business.

If it is possible, without abusing the Indians, I hope you will bring them to me

I am Sir

your Hble Servt.

William C. C. Claiborne

To David Berry.

The Governor being informed, that the Indians could not be prevailed upon to visit him, he wrote the following Letter to Mr. Berry.

Town of Washington

October 13th 1802

Sir,

You will proceed immediately to the Indian Camp, deliver to them the enclosed talk, receive their answer, and report the same to me this Evening.

I am Sir your Hble Servt—

William C. C. Claiborne

Talk enclosed in preceding letter.

A talk from William C. C. Claiborne Governor and Commander in chief of the Mississippi Territory, to some Choctaw Indians, who are encamped near to Natchez.

Brothers.

I sent my Interpreter David Berry to you, on this morning, with a request that you would come and see me; but you have thought proper to decline doing so.

I will now tell you Brothers my Business with you; I was informed on yesterday, that you had gone to a white Man's House, and killed one of his work Steers, wounded another, and threatened to do him further Mischief.

I wanted to have you and the white man face to face, in order, that I might learn the truth: But it seems you will not come near me.—

Now Brothers, I must inform you, that I do not allow my people to treat a red man amiss, nor will I suffer a red man, to treat any of my people amiss.

I will forget and forgive your late bad Conduct, upon one Condition, which is, that you immediately depart for your own Land, and do no more mischief.

My Interpreter David Berry will bring to me, your answer to this talk.

William C. C. Claiborne.

Town of Washington
October 13th 1802.

To Seth Lewis.

October 19th 1802

Dr Sir,

Permit me to introduce to your acquaintance and friendly attention the Bearer Mr Lewis Kerr— This gentleman attends

you, to request an examination touching his fitness to practice as an attorney in the several Courts of Law and Equity in this Territory

Mr. Kerr was desirous to wait upon you, previous to your Departure for Washingtin, but was prevented by indisposition. During your absence Mr Kerr's health was in a measure restored, & wishing to qualify as an Attorney, at the County Court of Adams, upon his producing to me the most satisfactory vochers, that he had passed much time in the study of the Law & had been admitted as an attorney in many respectable Courts, I granted him a Licence, having previously exacted a promise that immediately on your arrival he would undergo an examination before you.

Accept my Congratulations on your safe Return Home, accompanied with my best wishes

I am Dr Sir

Very respectfully

Your mo: Obt. Hble— Servt.

William C. C. Claiborne

The Honble—

Judge Lewis

Warrant in Favor of —— Phipps.

October 19th 1802

The Governor signed a Warrant upon the Treasurer General for twenty four Dollars in favour of Phipps, being the sum due him for his services as a Marker of the Road from the Natural Boundary line, to the town of Natchez, as appeared by a Certificate he produced, signed by Hugh Davis and John Collins two of the Commissioners for laying out said Road

To Henry Dearborn.

Near Natchez 20th october 1802
Office of Superintendant for Indian affairs.

Sir

To enable me to meet a small draft of Mr Silas Dinsmoor's, on account of the Choctaw Agency, and to defray some contingent expences which have arisen in the Indian department I have drawn a Bill upon you for one hundred Dollars payable at five days sight to Samuel Postlethwait & Co —or order

I am Sir,

Very respectfully

Your most obt— Servt—

William C. C. Claiborne

The Honble Henry Dearborn
Secty of War

Bill of Exchange.

Copy of a Bill of Exchange Drawn by the Governor in favour of Saml. Postlethwait & Co,

Near Natchez october 20th 1802
Office of Superintendant for Indian affairs

Ex: 100 Dollars

Sir

At five days sight of this my first of exchange (second of same tenor and date unpaid) please to pay to Samuel Postle-

thwait & Co or order, one hundred Dollars (value Received) which charge as per advice to account of

Sir

your Obt. Servt

William C. C. Claiborne

The Honble

Henry Dearborn

Secy of War—

Washington

To Gov. Claiborne, from Wm. E. Huling.

New Orleans 18th october 1802

Sir

I have to announce to you that this day the Port is shut against foreign commerce and not against foreign commerce only, but against the American Deposit in this City[1]

In the decree posted up in the public places no mention is made of any other place appointed for a Deposit.

You will use this information as you may think proper

I am with great respect

Your most obt. humble servt—

Wm.—E. Hulings

Wm— C. C. Claiborne

Gov of the Mississippi Territory

P.S.— The Intendant has just now refused permission to some Govt —Stores destined for Fort Stoddart, to pass through the Spanish Territory free of duty. I shall immediately petition the Governor on the subject, and will communicate the result to you.—

[1] This order of October, 1802, said to have been issued by Intendant Morales without authority from Spain, was the cause of great loss to the people of the Mississippi Valley, and was adjusted only by the Louisiana purchase.

To William E. Huling.

Natchez October 28th 1802

Sir

Your Letter of the 18th Instant, reached me this Evening— The publication of the Intendant's is indeed an extraordinary Measure.—

The 22d Article of the Treaty between the U. States and Spain, is explicit, and cannot admit of but one construction.

Before his Catholic Majesty can (with good faith) withdraw his permission to the Citizens of the U. States to deposit their Merchandize, and effects in the port of New Orleans, he must assign some other place on the Banks of the Mississippi for an Equivalent Establishment.

Will you be good enough to present in person, the enclosed Letter to the Governor; It is on the subject of the Intendant's publication.

Your Letter to me I shall transmit by express, to the secretary of State.

I flatter myself that the present difficulties at New Orleans will only be temporary

With very great respect

I am Sir

Your Mo: Obt: Servt.

William C. C. Claiborne

Wm— E. Hulings

Vice consul for the U. States at the port of New Orleans

To Don Manuel de Salcedo, Governor General of Louisiana.

Natchez October 28 1802

Sir

I have this day been informed that in a Proclamation issued on the 16th Instant, by the Intendant of the Province of Louisiana, it was announced—"That the Citizens of the United States

shall no longer be permitted to deposit their Merchandize and effects in the port of New Orleans

Information of an event so immediately interesting to the Citizens of the U. States led me to peruse attentively the Treaty of Friendship, Limits and Navigation between the United States of America, and the King of Spain, and upon adverting to the 22d Article I found it declared that "his Catholic Majesty will "permit the Citizens of the U. States for the space of three years "from this time to deposit their Merchandizes, and effects, in the "port of New Orleans and to export them from thence without "paying any other duty than a fair price for the hire of the "Stores, and his Majesty promises either to continue this permis- "sion if he finds during that time that it is not prejudicial to the "Interests of Spain, or if he should not agree to Continue it "there, he will assign to them, on another part of the Banks of "the Mississippi an equivalent establishment.

I have here quoted the words of the Treaty, and find them too explicit to require comment, or to admit of a Doubtful construction— If therefore his Catholic Majesty has discontinued his permission to the Citizens of the United States to deposit their Merchandizes and effects at the port of New Orleans, Will your Excellency be good enough to inform me whether any and what other place on the Banks of the Mississippi has been assigned (in Conformity to the Treaty) for an equivalent establishment.

The subject of this enquiry, is so interesting to the Commerce of the United States, and to the Welfare of her Citizens, that I must request your Excellency to favour me with an *early answer*

Accept assurances of my
great respect and high
Consideration
William C. C. Claiborne

His Excellency
Manuel de Salcedo
Governor General of the Province of Louisiana.

To James Madison.

Near Natchez,
October 29th: 1802.

Sir,

I have the honer to enclose you a letter, which, I last evening) received from Wm. E. Hulings vice Consul, for the United States, at the Port of New Orleans, together with a translation of an Extract from a publication made, by Juan Ventura Morales, Intendant of the Province of Louisiana &c: dated October 16: 1802.

These dispatches, announce "that the Port of New Orleans, is shut against foreign commerce and the *American Deposit.*

Not understanding from the Intendant's Proclamation, whether or not, another place, on the banks of the Mississippi, had been assigned by his Catholic Majesty, (in conformity to our Treaty with Spain) for "An equivalent establishment."

I have by letter, (a copy of which, is herewith enclosed) requested information, *on this point* from the Governor General of the Province of Louisiana.

The late Act of the Spanish Government at N. Orleans, has excited considerable agitation in Natchez and its vicinity:— It has inflicted a severe wound upon the Agricultural and Commercial interest of this Territory, and must prove no less injurious to all the Western Country.

There being at present an interruption in the Post between this Territory and Tennessee, and supposing it of importance, that the Government should be early apprised of the late event at Orleans, I have forwarded this letter, by *express*, to Nashville, where it will be deposited in the mail.

I am Sir,

With sentiments of great respect & esteem—

Your mo: obt. servt:

(signed) William C. C. Claiborne

To James Madison.

Near Natchez
Novem: 5: 1802.

Sir,

I have now the honor to reply more particularly to your letter of the 26: of July last, and to lay before you, such information, as I have been enabled to collect in relation to the various objects of your enquiries.

In conformity to your request the claimants of land (of the descriptions you mention) were invited "by public advertisement to file prior to the first day of November, before the proper County Officers, the Clerks of the different County Courts, the particular authority and extent of their respective claims, and the chain of Title derived to the present claimants from the Original Title.

I had flattered myself that the acquiescence with this invitation would have been such, as to have afforded ground for accurate estimates;— But from various causes, the returns are not so general as I had wished. Some few claimants, whose titles, I have reason to believe, are fully and legally executed, have omitted to state them, either thro' inattention, or from an unaccommodating disposition, and there are some others, who have avoided exhibiting their claims (probably) from an unwillingness to expose their weakness, and a fear produced by a report, which some designing characters circulated with industry, that the call for titles, was intended to work their immediate injury: — Having premised thus much, with a view to apprise you, that the return of claims which accompany this letter, is (A) not entirely complete:— I will proceed to notice your enquiries in the order, you have placed them.

First

With respect to the extent of Territory both on the Mississippi and the Mobile, which has been relinquished by the Indians.

Until the boundary line between the United States and the Choctaw Indians, shall have been retraced and plainly marked, (a work, which I understand will shortly be executed, under the direction of General Wilkinson) the quantity of land, to which the Indian claim has been extinguished, cannot be correctly ascertained, but from the best information in my possession, I do conjecture that there may be on the Mississippi, two thousand five hundred square miles, or about one million six hundred thousand acres, which, comprehend the counties of Jefferson, Adams, Wilkinson and Claiborne.—

On the Mobile, I do also conjecture, without pretending to accuracy there may be about four thousand six hundred square miles, or near three Million of Acres, which compose the County of Washington.—

The greater part of the land on the Mississippi, above alluded to, is fertile, and well adapted to cultivation:— Of the three millions of acres on the Mobile there are supposed to be near two millions of pine barrens, little of which, is susceptible of Culture, the balance is said to be good land, and I am informed that most of it may be cultivated to advantage.

A small map of the settled country adjoining the Mississippi, marked (No: 1.) and a map of the land in Washington County, to which the Indian claim has been extinguished marked (No: 2) are herewith enclosed.

Second

With respect to the claims recognised by this second article of agreement with Georgia!

I will class these claims under three distinct heads.

1st: Grants, to persons who were actual settlers, within, the ceded Territory, on the 27 of October 1795, legally and fully executed, prior to that day by the former British Government of West Florida. The packet marked (A) contains all the claims of this description which have been filed.

2nd. Grants to persons who were actual settlers within the ceded Territory on the 27: of October 1795, legally and fully

executed prior to that day, by the Government of Spain, (this species of Titles is numerous) the packets marked (B) contains all which have been filed.

3rd. Claims of persons who were settlers within the ceded Territory, on the 27: Oct: 1795, derived from actual surveys or settlements made under the law of Georgia; passed February 7: 1785, commonly called the Bourbon Act:— The packet (C.) contains all the claims of this class which have been filed. Few of these claimants alledge to have made actual surveys: —It would have been unsafe to have done so, during the existance of the Spanish Government, but they rely upon the settlements which they formed by a verbal permission from the then existing Government, and the invitations held out by the State of Georgia, in the Bourbon Act.

Among the titles recognised in the agreement of compromise with Georgia, there will arise a few which clash, (viz) lands claimed by different persons, under British and Spanish titles who were both settlers in the Territory on the 27: of Oct: 1795; This will be found to have been occasioned by one of two causes: The British proprietor did either not reside in the Territory, or being present had not complied with the conditions of his patent at the time of regranting by the Spanish Government.

I have endeavoured to inform myself as to the manner, in which Grants were made and completed under both the British and Spanish Governments. Under the British Government Grants were sometimes issued by the King himself, but more frequently by his Representatives the Governor of West Florida. The former title was conferred for some signal services rendered by an individual, the latter title which was the more usual, was obtained in the following manner?— The applicant for land presented a petition to the Governor and Council of West Florida, upon the petition being granted, an Order from the Governor, to the Surveyor General, of the province was given which was called the Warrant of Survey, when the survey was completed and returned to the Secretary's office the Patent issued. It frequently

happened, that by delay in the office occasioned by various circumstances, and in some instances by reason of the Spanish Conquest of Florida, those persons who had obtained Warrants and paid the price of surveying never acquired a complete Patent I have procured a copy of a British Patent, which is herewith enclosed marked (No. 3.) The manner of obtaining titles under the Spanish Government was similar to the last mode of British Grant. The applicant for land, applied by petition to the Spanish Governor General of Louisiana; or the Governor at Natchez. If the petition was granted, an order, in writing was given to the Surveyor General (whcih was called the Warrant) to survey and put the Petitioner, in possession of a certain quantity of land (which was named) on the return of the survey, to the office of the Secretary, for the province of Louisiana, at Orleans a formal Patent, with the plat and certificate of survey prefixed was issued, and signed by the Governor General of of the Province of Louisiana. In this case also delay in the intermediate steps, sometimes prevented persons, who had procured Warrants of Survey, and were in complete possession of the land from obtaining perfect patents:— A Copy of a petition Warrants of Survey, and Spanish Patent is herewith enclosed marked No: 4:

I will now proceed to notice other claims not recognised in the agreement of compromise, but concerning which you request information.

First . . . With respect to claims grounded on the alledged grants of Georgia, subsequent to the Bourbon Act:

I cannot learn that any tract of land is now occupied by any of those purchasers or by persons claiming under them:— A Copy of an Original letter, upon the subject of the Georgia Sale dated at Boston, October 1. 1799, signed by several persons stiling themselves "Agents for the proprietors of Georgia lands" addressed to some respectable Citizens in this Territory, together with a copy of the Answer which was returned thereto, are herewith enclosed Marked No. 5 & 6.

Second. . . Claims, if any, derived under the French Government, previous to the peace of 1763?

No title arising from this source, has been filed, and I have it from good authority, that no claim on the part of the ancient French proprietors ever appeared during the existence of the British or Spanish Governments in this Territory. " The frequent contest between the French and the Natchez aborigines, caused the former to abandon their agricultural possessions, in this quarter of Louisiana, long before the peace of 1763.

Third------ Claims derived under the British and Spanish Governments previous to the Treaty of 1795, unaccompanied by actual settlement within the ceded territory, at the date of the Treaty?

No claims of this discription have been filed, nor is it probable there are many such of Spanish Origin:— But it is a matter of great notoriety, that British claims of this species are numerous. By far the greater part of the valuable improvements and plantations in this Territory, is made upon lands heretofore granted by the Brisith Government of West Florida, but which were regranted by the Spanish Government.

It may be proper in this place to state, that the time allowed by the Treaty of peace of 1783 for British subjects to sell, convey or settle their lands, was prolonged by the Spanish Government, and that two or three years beyond the time granted by the Treaty had elapsed before the Spanish Government commenced regranting of lands, which had formerly belonged to British subjects.

Fourth--------Claims derived under the Spanish Government by Grants made subsequent to the Spanish Treaty of 1795?

These may be distinguished into three classes:

1st— Where patents were issued subsequent to the Treaty on Spanish Warrants of survey made previous to the Treaty;—

2nd. Where the Warrants as well as the Patents were subsequent to the Treaty.

3rd: Where both Warrants and Patents, were indeed subsequent to the Treaty, but both antedated, so as to make them appear prior to the Treaty.—

1st: Where Patents were issued subsequent to the Treaty on Spanish Warrants of survey granted previous to the Treaty.

I have understood that many Patents of this description were issued altho' few have been filed— Warrants had in many instances been obtained from the Spanish Government accompanied with an actual survey and settlement, which, agreeable to the Spanish *Customs*, were recognised as good Titles, even before the Patents issued. Claimants in this situation were often not anxious about obtaining their Patents, which could at any time be procured as a matter of course. Hence it happened, that the Treaty, caught many in the possession of those incomplete rights. Some persons thought it advisable to obtain patents from the Spanish Office which continued open after the Treaty. But others conceiving such patents as conferring no additional security trusted entirely to the justice and liberality of the United States to make valid in law, what they considered a perfect equitable title.

2nd: Where the Warrants of survey as well as the Patents were subsequent to the Treaty; of this description four or five only have been returned, but others certainly exist. Some men in favor with the Spanish Officers— and trusting to the temporary continuance of the Spanish Courts and Government acquiesced in by the people, and Commissioner Ellicot, and Lieutenant Pope, the only representatives of the United States then present, received titles for land, which were dated agreeable to the true time of receiving them. The number of these claims is uncertain, but said not to be numerous.—

3rd Where Warrants and Patents were indeed subsequent to the Treaty, both antedated so as to make them appear prior to the Treaty, altho' no claims of this kind have (to my knowledge) been filed, yet no doubt is entertained here of their exist-

ence. They are reported to be of great extent, and are supposed to cover much valuable land near the settlements.—

Fifth --------Claims founded on the third section of the Bourbon County Act?

Many Citizens who subsequent to 1795, have settled and improved vacant lands, suppose that under this third section, they will be entitled to a right of preference when a land office may be opened. The Bourbon Act was repealed by Georgia, in February 1788, but from the little intercourse between that State, and the Territory. it is probable the repealing law was but partially known, and that some citizens might have made their improvements under the invitation given them in the Bourbon Act.

With respect to the aggregate quantity of land covered by claims under the 2nd.. article of the Compromise and of the like aggregate of other claims, it is impossible for me to form accurate estimates. But from the best lights I can procure, I do suppose there cannot be more than four hundred thousand acres on the Mississippi, covered by claims justly falling under the 2nd: article of the Compromise. As to the extent of private claims on the Mobile I can hazard no opinion, until the returns from Washington County are received. It however, is understood, that besides a large tract of Pine Barrens, there is some valuable lands which remain to be disposed of by the United States.

In order that you may be more fully informed as to the true state of land claims in this Territory, I have forwarded all the returns, which have been made and received carefully filed under their different classes, among them, you will discover, some claims, which cannot strictly considered be comprehended under any of the descriptions you have enumerated— The titles for instance by Spanish Warrants of Survey & possession without Patents may be viewed as of this kind. But permit me to remark that this species of Title, is esteemed here as very strong in an Equitable point of view, and I am well informed they were viewed as legal under the Spanish Government and by custom

the proprietor was authorized to sell after three years occupancy.

It will not escape your observation, that a great proportion of the present population in this Territory, is composed of Citizens who have formed settlements on vacant lands;— The heads of families of this discription, in the Counties of Jefferson, Adams, Wilkinson, and Claiborne, exceed seven hundred and their wives and children amount to upwards of two thousand.

I do sincerely hope that these Citizens may be secured in their improvements, and that the Government will sell out the Vacant land in this district upon moderate terms and in small tracts to actual settlers:— If this policy be not observed, much distress will attend many of the settlers, and the certain effect will be their leaving the Territory in disgust, to become subjects in a Country, where heretofore, the most flattering invitations have been offered to the poorer class of industrious Citizens, by bestowing, upon every applicant, without price, portions of the richest lands, proportioned to the extent of his family. The present farms of the settlers would then probably fall into the hands of rich speculators, either in this District, or from the United States. Thus we may lose a considerable portion of our present population, and the further increase of our numbers retarded, by the best and most convenient spots being monopolised by men possessing large tracts of unoccupied lands.[1]

The consequence would be that this most distant and infant settlement of the United States, at present insulated and defenceless, would be rendered more weak and defenceless, by the banishment of the poorer Class of White Citizens, and the introduction of a few wealthy characters, with a large increase

[1] For information concerning land titles in Mississippi consult the "The Fountains of Our Land Titles," by Edward Mayes; Minutes Mississippi Bar Association for 1887.

of negroes, a discription of inhabitants, already formidable to our present population.[1]

With sentiments of great respect and
sincere esteem,
I have the honor to be
Sir,
your mo: Humble. Sert.
(signed) Wm. C. C. Claiborne

Notes.

(A) I have not received a return of the claims which have been filed in Washington County.—

(G) Claims, have been filed by persons who were actual settlers within the ceded Territory on the 27: Oct: 1795, under British Grants for 52754 acres, and under Spanish Patents for 190.406 acres, which Patents were legally and fully executed prior to that period.

Claims of the following discription have also been filed—

Claims under Spanish Patents dated subsequent to the 27: Oct: 1795, by persons who were settlers at that period.— for. . . . . Acres 8.980

Claims under British Warrants without Patents, by persons who were settlers on the twenty seventh of Oct: 1795. for. . . . . Acres 10.900

Claims under Spanish Warrants of Survey and possession, by persons who were actual settlers on the 27: Oct: 1795—for. . . . . Acres 21203

For these Claims see Packet (D)

[1]It had been estimated that the negroes, at this time, about equaled the whites.

There are about one hundred and thirty heads of families, who on the 27: Oct: 1795 were settled upon vacant land, and now claim a right by occupancy under the Bourbon Act.

There are also about seven hundred heads of families, who subsequent to 1795. have settled upon vacant land and made considerable improvements.

(F)-------- Should the contemplated changes in the Masters of Louisiana take place, it is not improbable, but our new neighbours, with a large extent of *Vacant* Country to settle, may also offer great encouragement to emigrants.—

To James Madison.

Near Natchez: Nov: 6th: 1802.

Sir,

The embarrassment of our trade at N. Orleans, still continues, private letters state, that American produce may be landed by paying a duty of 6 pCent, but not otherwise.

I have enclosed you an extract from the Intendent's proclamation, in the Spanish language — I am informed that the translation which was sent you is sufficiently faithful, but does not possess the strength of the original.

It cannot well be presumed that the Intendant would issue such a proclamation without orders from his King, altho' the style countenences the idea.

There is no doubt entertained at Orleans but that the French will take possession of Louisiana in the course of the Winter.

I am &c

(signed) Wm.. C. C. Claiborne

To James Madison.

Near Natchez Nov: 6: 1802

I have this day drawn upon you, for the sum of Eighty dollars, payable at five days sight, to Ferdinand L. Claiborne,[1] merchant at Natchez, or to his order.

This sum I pay to Samuel May, for going express from Natchez to Nashville, as will appear from the vouchers enclosed.

The letters which May was the bearer of communicated the late proceedings at N. Orleans, which being interesting to the United States, I thought it my duty to forward my dispatches by express, since at that time there was an interruption in the mail between Natchez & Nashville

I am &c.

(signed) Wm. C. C. Claiborne

To Gov Claiborne, from Henry Dearborn.

War Department.

9: July 1802

This will be handed you by Mr Joseph Chambers, who has recently been appointed Factor for the United States,[2] for the Choctaw Nation of Indians, his character authorizes me to recommend him to your Excellency's notice and to request that you will have the goodness to yield him such advice and assistance in the discharge of his duty as situation, & circumstances may render necessary.

I have the honor to be with much
respect,
your Excellency's
mo: obt.. Servt.
(Signed) H. Dearborn

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[1]Brother of the Governor, who afterwards became prominent in the military affairs of the Territory.

[2]Factor at St. Stephens. A factory, for trade with the Choctaws, was located at that place.

To Henry Dearborn.

Natchez Novem: 10: 1802

Sir,

On the first instant Mr. Joseph Chambers Factor for the United States, for the Choctaw Nation, delivered to me your letter of the 9th: of July last.

The goods for the factory have arrived at Fort Adams and are safely deposited; where they will remain until a site for the Factory, is established and suitable buildings erected.

The aspect of affairs at Orleans, and the probability of the French taking possession of Louisiana induce me to think it may be advisable for the present to establish the trading house for the Choctaws, at some point on the Mississippi, or the Waters thereof.—

Some where on the Mobile would certainly be the most eligible position, but it being yet uncertain how far our trade to the Mobile may be embarrassed it might be unwise at this time to risque an establishment in that quarter.

Mr Chambers appears to be a young man of great merit, and I shall take pleasure in giving him such assistance and advice as situation or circumstances may render necessary.

The Choctaw annuity for 1802, is arrived at Natchez, and I will take immediate measures to have it distributed.

The Citizens, who were supposed to have settled upon Indian lands, and of which I advised you in a former letter, have removed within the settlements.

I am &c

(signed) Wm. C. C. Claiborne

P.S.

Three mails are now due from Washington. I am yet unadvised, of your orders in relation to the Factory, and the new Garrison

(signed) W. C. C.

To Silas Dinsmore.

Natchez, Novem: 11: 1802.

Sir,

Being solicitous to confer personally with you on the subject of your Agency, and to put in your care, to be conveyed to the Nation, the Choctaw Annuity for the year 1802, I have to request that you will come with all convenient dispatch to Natchez.

I am &c

(signed) Wm. C. C. Claiborne

To James Wilkinson.

Washington Novem: 16: 1802

Sir,

In a letter from the Secretary of War, dated on the 10th: of September last, I am directed to advise with you, as to the Site, for establishing a Factory, for the accommodation of the Choctaw Indians:— The Factor is now at Natchez, and the goods are arrived and deposited at Fort Adams:— It is therefore advisable that the Site, should be speedily determined upon and the business commenced, or the factor will loose the advantage of the fall hunt:— I had named to the Secretary a position some where on the Mobile, as the most eligible, and he seems to incline to that opinion; but the late proceedings at Orleans, rendering it uncertain, how far the trade of the Mobile and Mississippi, may be embarrassed, induce me to think it unsafe for the present to venture the establishment in that quarter. But on this subject I wish much for a personal interview with you, and if you cannot conveniently come to Natchez, I will meet you at the Grind Stone ford, at any time you will name.

A new post (by direction of the President) is to be established, near to the town of Washington [1] and a Company stationed thereat.

The Site is selected, and contracted for, and the Secretary at War, informs me that "General Wilkinson will decide on the Captain who shall command." May I ask the favor of you to detach Captain Sparks for this command:— you can anticipate my reasons.

My great friendship for Sparks, and the great addition which his small family, would be to our little society, lead me to make this request.

The last Northern Mail brings nothing very interesting:— The french troops are daily expected at Orleans:

General Victor, is the Commander, he brings with him, only three thousand men, but eight thousand are to follow in a few months.

The enclosed letter from the Secretary at War, to you, is the only one, which has reached me.

Mrs.. Claiborne unites with me in best wishes for your health and Happiness.

Yours &c

(signed) Wm.. C. C. Claiborne

P.S.

A part of Captain Spark's company is now stationed near to Washington:— I have suggested to the Commanding Officer at Fort Adams, that it might be proper that this detachment should occupy the ground selected for the post and commence the work for the Garrison

(signed) W. C. C. C.

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[1] Fort Dearborn.

To Gov. Claiborne, from Henry Dearborn.

War Department
September 10th 1802

Sir,

Your favors of the 6th: ult: with the cnclosures have been duly received; from the best information I have been able to obtain, I agree with you in opinion as to the more suitable place for our trading house with the Indians, will it not be in your power, to sound the Governor of the Floridas on the subject of our navigating that river, until more permanent arrangements between the two Governments can be made? It may not be proper to intimate that we have any doubts of the right of Navi-gating any of the Rivers, which pass out of the United States and through the Spanish Territory, but perhaps you may ascertain their present disposition, by intimating that you presume their will be no objection to our furnishing the Posts in the Mobile and our Indian Agency at Tombigbee thro' their Territory:— If it should be determined to establish a trading house on the Tombigbee, It will be necessary to give directions to our Consul at Orleans, to retain the goods there until the place for the establishment shall be decided on; You will please to consult General Wilkinson on the subject, to whom I have written relative to the proper Site for a trading house &c—

It will be proper at all events to have the goods kept at New Orleans, until a decision is made by you and General Wilkinson, you will be pleased, Sir, to take measures accordingly—

You will also accept the Offer of Mr. Calvit relative to the land for a Post.

The progress made in organising the Militia, is really a very happy circumstance, and will undoubtedly have a vary favorable effect on the administration of your Government.

General Wilkinsin will decide on the Captn. who shall Command, the Post at Natchez; I have no doubt he will consent that

Captn: Sparks may be stationed at that place agreeable to your request.

I am &c.

(signed) H. Dearborn

From Henry Dearborn.

War Department
Septem 11: 1802.

Sir,

On further consideration I am of opinion, that there can scarcely be a remaining doubt of the propriety of establishing the trading house with the Choctaws, on the Tombigbee,[1] if necessary the Military Post on the Mobile can furnish a guard to the store, whether the store should be established at any considerable distance from the junction of the Tombigbee or the Alabama, or not you and Genl. Wilkinson will be able to determine. It is presumable that the Indians will have no objection to a small guard being placed near the store.

I am &c.

H. Dearborn

P. S. Sir, as Genl. Wilkinson will probably have occasion to go to New Orleans I have requested him to sound the Government on the subject of the navigation of the Mobile. It is a subject that should be handled with great circumspection:— There are some doubts whether it will be prudent to say anything to the Governor, at all, on the subject, but it cannot be improper to endeavor by some indirect means to know the Governor's sentiments on the subject, *if he has any*, prior to our establishing a trading house:—You will see Genl. Wilkinson before he goes to New Orleans, and will please communicate the contents of this postscript to him.

(Signed) H. D.

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[1] It was located at St. Stephens.

To Gov. Claiborne, from Henry Dearborn.

War Department
Septem: 11: 1802.

Sir,

The chiefs of many of the Indian nations having applied to the President of the United States, for the suppression of the sale of ardent spirits in their several nations, and Congress having authorised the President to comply with their request:— It is therefore the wish of the President that you adopt such measures, as will as soon as practicable with due regard to particular circumstances, prevent the sale of any ardent spirits to the natives; In order therefore to effect this object, no trader shall be allowed to vend any goods to the Indians who shall carry ardent Spirits into their Country, for sale or other purposes and such as are now trading under former licenses should be restricted in like manner.

I am &c.

(signed) H. Dearborn

To Henry Dearborn.

Near Natchez, Novem: 16: 1802.

Sir,

On the 11th: instant, the Northern mails which were due, reached Natchez, and brought me your several favors, of the 10: 11: and 14: of September, the contents of which, I have attentively observed and shall particularly attend to.

The enclosed letter from General Wilkinson will inform you of his arrival at the Yarsou, (Yazoo) and the preparations made to commence the retracing of the old Indian line:— My own opinion is that the arrangement adopted will fully answer the purpose and in point of Oeconomy (economy) and expedition, is perhaps the best that could have been resorted to.

I have by letter (an extract of which is enclosed) consulted General Wilkinson, relative to the Site, for the Choctaw Factory: — My letter of the 10. ins. informed you of the arrival of the goods:— They reached Orleans, shortly after the *American Deposit at that Port was discontinued,* and were immediately forwarded by Mr. Hulings to Fort Adams, where they now are, under the particular charge of the Assistant Military Agent. Mr. Chambers the Factor is solicitous to put the business into speedy operation, so that he may have the advantage of the fall hunts:[1]— I shall do everything in my power to advance the interest of the establishment, and I am certain of the Co-operation of General Wilkinson. But until this Site is selected and suitable buildings erected, the business must necessarily be delayed.—

* Late accounts from New Orleans, State that the French General Victor; with three thousand men is expected in three or four weeks and that seven thousand will follow in a month or two; also, that the Governor of Louisiana has received orders to deliver up, the province:— it is said the secret was told by the Governor to two or three *Ladies,* of his acquaintance, who, have communicated it, to two or three others.

The expected settlement of the French in Louisiana is greatly regretted by the people of this Territory.

The embarrassment of our commerce at Orleans still continues.

I am &c.

signed W. C. C. Claiborne

* This is communicated, only as common report, of its correctness I am not certain, but do still hope that it may be untrue.—

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[1]The time when the Indians secured, for barter, a large quantity of peltries.

To Gov. Claiborne, from James Wilkinson.

Camp near the mouth of the Yasou
Novr: 11. 1802.

Sir,

I arrived here on the 8: inst. extremely ill & am now scarcely able to hold my pen.

Yesterday I received by the hands of Capt. Shaumburgh and Lieut. Arbuckle, your letter of the 3rd. and 20: Ultmo.— to which I beg to reply, that having received no information from the Secretary of War, respecting the arrangements made with your Excellency, for the means necessary to the re-establishment, of the Indian boundary, on which I am now engaged, I had directed a Military party to cooperate with me, as the most prompt & by far the least expensive plan, which could or (in my judgment) can be adopted:— I have with me public tools, (prepared for the service on the road) public hands, and the public horses, which accompanied me to Georgia, I therefore have full belief the operation may be completed at a very inconsiderable expence, and should circumstances occur to make it necessary, I shall then crave your assistance and support— The difference in the expense of the two plans may be fairly taken at $4,500, in favor of that which I feel it my duty to prefer.

The mouth of the Yasou, which is called for as the beginning of the old boundary, has, by a breach of the Mississippi, made through its Banks, & the consequent desertion of its ancient Bed, been shifted about six miles, which circumstance involves some difficulty, with the Indian Commissioners, and to this one more serious is added, the British Surveyor, left his East line entirely open, and it would seem five or six miles at the beginning of his South line— The Choctaws expect to see the old line and nothing less will satisfy them, it of consequence has become necessary for me to proceed to the Big Black River, in order to exhibit to them the marked trees, and from thence to retrace the line, back as far as it can be discovered, after which I shall propose on the ground of mutual accommodation (and the proposition will be a

fair and a sound one) to continue the line to the first Bluff on the Yasou River, above the inundations of the Mississippi, and there to fix our beginning, should I succeed the United States, will make a small acquisition, the Territory will be benefited and the Indians will not be injured. In the promotion of this plan I shall march for the Big Black as soon as I have closed this letter, should the weather and my health permit.

My feeble hand and my giddy head incapacitate me, for communicating to the Secretary of War, at this moment, I will therefore ask the favor of you, to transmit him a Copy of this scrawl, by the next mail— I regret to find here, the road cuting entirely neglected, and to learn that every thing military, is in disorder— I most ascribe these things in a good degree to the conduct of Col: Butler, who has arrogated to himself unwarrantable consequence, and instead of doing his duty, has in my judgment done injustifiable acts, and now under the plea of Indisposition has gone to the North-ward, I feel for the public service and for the discipline & subordination of the Troops

With great respect

I am Sir

your obt. Servt.

(signed) Ja Wilkinson

To James Madison.

Near Natchez

Nov: 24. 1802

Sir, I have the honor to enclose you a duplicate of my letter of the 5: instant:— Upon looking over the Original Copy, I find an omission of a few words in the third enquiry " Claims derived "under the British and Spanish Government, previous to the "Treaty of 1795, and unaccompanied by actual Settlement at

the date of the Treaty— After the word *settlement* these words should have been inserted, "*within the ceded Territory*"

The return of claims in Washington County, have not yet reached me.

I am &c

(signed) Wm. C. C. Claiborne

To James Madison.

Natchez 25: Novem 25. 1802

Sir,

I have the honor to enclose you an Original Copy of a Communication (together with a translation thereof) which I this morning received from the Governor General of the Province of Louisiana, in Answer to my letter of the 28: Ulto.

I am &c

(signed) Wm. C. C. Claiborne

To Gov. Claiborne, from the Governor General of Louisiana.

Most Excellent Sir,

I received a few days past your Excellency's esteemed letter of the 28: ultimo, in which your Excellency refering to the 22nd. article of the Treaty of friendship, navigation and limits agreed upon between the United States of America and the King my master, has been pleased to enquire after transcribing litterally the said article (which you find so explicit as not to require any comment, nor to admit of dubious construction) if his Majesty has been pleased to designate any other position on the Banks of the Mississippi, and where that is, if the Royal pleasure does

not continue the permission stipulated by the said Treaty which entitled the Citizens of the United States to Deposit their merchandize and effects in the Port of New Orleans, and you request at the same time, as the affair is so interesting to the commerce of the United States, and to the welfare of its Citizens, I may do you the favor to send you an answer as early as possible.

I can now assure your Excellency, that his Catholic Majesty, has not hitherto issued any order for suspending the Deposit, and consequently has not designated any other position on the Banks of the Mississippi, for that purpose:— But I must inform you, in answer to your demand, that the Intendant of these Provinces (who in the affairs of his own department is independent of the General Government) at the same time, that in conformity with the King's commands (the peace having been published in Europe, since the 4th: of May last) he suspended the commerce of Neutrals, and determined also, upon the propriety of suspending the Deposit, which had been permitted, tacitly to continue; and to put a stop to an infinitude of abuses, which were generated by it, contrary to the interest of the state, and of the commerce of these colonies, being the result of a knowledge, which he has acquired of frauds which have been committed, and which the parties have endeavored to excuse under the pretext of ignorance, as is manifested by a great number of causes, which now await the determination of his Majesty, as soon as they can be laid before him; not to mention many others, which have been dropt, because the parties have absconded, who introduced their properties into the deposit without extracting them and defrauding the Royal interest.

It might appear on the first view, that particular cases similar to the present cannot operate against a general privilege granted, by a Solemn Treaty, and it is an incontestible principle, that the happiness of nations, depends in a great measure on the maintenance of good harmony & correspondence with their neighbours, respecting *their* rights, and promoting their own, without omitting those duties which we owe to humanity, and to the

rights of civil society: But it is also indubitable, that a Treaty, altho' solemn, in order that it may be entirely valid, aught not to include any vicious principle, and if it is found pernicious, and of evil tendency altho' it has been concluded with good faith, but without a knowledge of its bad consequences in that case, it becomes necessary to annul it, since Treaties, ought to be viewed in the same light as other acts of the public will, in which we ought to respect more the spirit, than the expressions by which they are framed, and in this view, it will not appear so repugnant, that the Intendant, after the expiration of the three years stipulated by the 22nd: Article, and no continuance granted by the King, and after the abolition of the Commerce of Neutrals, should not chuse, to take upon himself the responsibility of continuing the favor, without express commands from the King, which is also, indispensably necessary for designating a new position on the banks of the Mississippi.

From the foregoing, I trust your Excellency, will infer, that the Intendant, who, directs the affairs of his own Department, independent of the Governor, will have communicated (in the regular line of his duty) to the King, his late proceedings in fulfilling an expressed convention: We have reason to hope that his Majesty will adopt such measures, as may restore the Deposit, either in this capital, if he should not find it prejudicial to the Interests of Spain, or in such positions on the margin of the Mississippi, as shall be agreeable to his Royal pleasure:— being confident that the justice and generosity of the King will not deny to the American citizens all the advantages which, they can desire, which concession depends not upon the will of, nor can be granted, by any particular head of Department.

Exclusive of these principles which serve as foundation to the Intendant's ordinance, I aught also to inform you, that I myself opposed every reasonable objection in my power to the suspension of the Deposit, until the reasons deduced by the Intendant brought to my view, that as we cannot guard against all incidents, and that many of an unexpected nature are the produc-

tion of time and various circumstances, it is always necessary to form a just and rational interpretation; notwithstanding these my ideas, I immediately wrote to the Captain General, in order to consult him on this business, his reply which cannot be long delayed, will dissipate any doubt which may have arisen, respecting the measures which have been adopted.

At all events, I flatter myself that your Excellency, will continue in the firm persuasion that the most perfect and constant good harmony having subsisted, and now actually subsists between the King, my master, and the United States of America, I shall use on my part every endeavor for its preservation, being well assured of equal and reciprocal good offices in the observance of the Treaty with good faith without ever loosing sight of such objects as interest the happines and glory of the Nations, in regard to the advantages of commerce; wisely and prudently conducted.

I have the honor to assure your excellency of the respect and high consideration, which I profess for you, and I pray the most High, to preserve your life many years. New Orleans 15th: of November 1802.

I Kiss the hands of your Excellency

your mot. affectionate Servt.

signed

Manuel de Salcedo

Address to Mississippi Legislature.

Mississippi Legislature,

On Wednesday the 9th: of December 1802, the Governor met the Legislature in the town of Washington, and delivered the following address.

Fellow Citizens of the Legislative Council, and of the House of Representatives.

The uninterrupted state of peace, which has so long been enjoyed by this Territory:— the abundant harvests, which so uniformly reward the industry of the husbandman:— the progressive increase of our population, agriculture and commerce; but above all, the undisturbed possession of our religious and civil liberties, should awaken in our minds the sincerest emotions of gratitude, for such signal dispensations of Almighty God.

To promote a continuance of these blessings is a high and important duty devolving on this assembly, and I persuade myself, that influenced, by harmony and wisdom, the result of your deliberations will be favorable to your supreme object *the general good.*

The exertions of the Officers to organize and discipline the Militia, have been accompanied with great success, and authorize a hope that *this best resource*, of a free people, will shortly become an efficient means of defence. Experience, however, has proven, that our militia laws are still defective. Although a considerable portion of the Citizens, have manifested a great share of military ardor, and rendered the most cheerful obedience to the law, I am sorry to say, that this laudable conduct has not been universal. The militia system should therefore be reviewed:— the defects which may be discovered speedily remedied and the law made sufficiently strong to command and enforce its execution. A people can never be secure in their rights, but when prepared with their own arms to resist aggression. The dangers to which our country may be subjected, will forcibly present themselves to your reflection, and it is in a time of perfect tranquility like the present, that a wise and virtuous government should leave nothing undone towards establishing and perfecting the most certain barriers for the preservation of civil liberty, and the permanent safety of society.—

I had the honor to submit to the consideration of the last legislature, the necessity of making some public provision for the education of our youth, and I cannot in justice, to the best interests of the rising generation, omit inviting your attention to this important subject. Your predecessors passed an act entitled "An Act to establish a college in the Mississippi Territory," but committed its support entirely to private contribution. Believing myself, that a support of this kind is too precarious to insure the welfare of so desirable an institution, I must solicit in its behalf, the particular patronage of this assembly, and I flatter myself, such aid will be afforded as existing circumstances, and the extent of our fiscal resources may admit. Permit me to suggest the propriety of assessing a tax on marriage licenses, and of endowing the college permanently with the revenue arising from this source, and also the expediency, of soliciting from Congress, a donation of land to this seminary. The Ordinance for our government justifies the request, and promises its success.

In contemplating the subjects of legislative concern, which deserve your consideration, a law for the inspection of Cotton, appeared to me indispensible. This valuable production should be fostered by the Government, and placed under the safeguard of the law. While it remains unprotected there is no security against carelessness and fraud, which being discovered in a few instances, might attach a degree of injurious suspicion to our whole exportation, we should therefore take special care, that the cotton exported, should be of the best quality, and that its quality should be attested by some public certificate, in which the purchaser could repose entire confidence; thus would the staple commodity of this Territory, acquire and preserve, a good reputation, both at home and abroad, and meet with sales so prompt and lucrative as amply to compensate for any expense which attend its inspection.

There are other objects of a local nature, which from your own knowledge of the interests of your Constituents, will engage

your attention, among these the state of the Court houses & jails, will doubtless be attended to. The jail for Adams district and County, is so situated and constructed that there remains no security for the safe keeping of prisoners, unless a degree of rigor is exercised, which humanity forbids, and the law discountenances.

I have every reason to believe that the existing taxes, *should they be generally collected*, will prove amply sufficient, to meet the current expenses of the government, but to insure *such collection* a revision of the act entitled "An Act, to ascertain what prop- "erty in this Territory, shall be deemed taxable property, and "the mode of collecting, accounting for and paying public taxes" is essentially requisite. A careful perusal of this act, will suggest to you the necessary amendments, and I must recommend this subject as *one* meriting your earliest attention.

Fellow citizens of the Legislative Council, and of the House of Representatives:

The anxious solicitude of the people of this Territory, occasioned by the difficulties, under which our commerce is placed, in consequence of the Spanish Government, with-holding, from the Citizens of the United States, the privilege of depositing their merchandizes and effects, at the port of N. Orleans, has not escaped my observation, and it is with regret, I inform you, that the last advices are unfavorable to the prospect of immediate relief. We may however, rest in confidence, that on this occasion, such measures will be adopted by the executive and Legislature of United America, to promote and protect, the general interests of our common Country, as wisdom shall dictate.

In the course of the session some other matters, which it may be proper, to lay before you, shall be made the subject of subsequent communications.

Nothing shall be wanting on my part to facilitate the despatch of public business, and it will be to me highly gratifying to unite with you in measures calculated for the advancement of the general good.

(signed) William C. C. Claiborne

To Gov Claiborne, from William Brooks.

Natchez,
Decem: 11th: 1802.

Sir,

The County Court, for October term appointed a Committee, to examine the situation of the jail of Adams County, Who were authorised to make such repairs as they might deem necessary and make a report of the expense at the next term.

They have declined making any repairs, and say, to place the jail in proper security will cost the County nearly the price of a new building. Since the order issued, one of the prisoners, a debtor has broke jail and escaped. My own safety has induced me to exercise a degree of rigor, which is repugnant to the feelings of humanity.

There are now confined in Adams jail seven prisoners, some of whom were committeed for trifling offences.

John Fricker, was convicted of manslaughter branded, and a fine imposed of an hundred dollars and Cost of Court.

Daniel Ryan, if I am not misinformed was tried at June term, sentenced to pay a fine of thirty dollars, and costs of suit.

Robert Fitzpatrick, alias John Scott for grand Larceny, done in Jefferson County; he has been confined a long time, has received no trial.

William Denman, for Larceny who was tried last term, and motion made for an arrest of Judgment.

Richard Shiras, for Larceny not tried.

Sally Dunnavan, for Larceny, she is now much indisposed, her trial was postponed for want of evidence.

James Burns, for assault, tried last term and sentenced to pay a small fine.

You will permit me to observe from a knowledge of the prisoners, that neither of them are able to pay the fine imposed. The expense accumulating to the County are great, which must be eventually discharged.

The jail is extremely insecure, the prisoners suffer much from the inclemency of the season. They are without fire, and some of them much indisposed, and no prospect of relief, unless thro' the mercy of the Executive.

I am &c

(signed) William Brooks, sheriff of Adams County.

Pardons to Prisoners.

William C. C. Claiborne Governor of the Mississippi Territory:

To all whom these presents shall come, G r e e t i n g:

Whereas Daniel Ryan late of the District of Adams, was lately convicted in the Superior Court of the Mississippi Territory, for the same district of the crime, of manslaughter, in feloniously killing and slaying of a negro; and thereupon the said Daniel Ryan, was adjudged by the same Court, among other things should be burned in the brawn of the left Thumb, and pay a fine of thirty dollars, as by the record thereof remaining in the same Court will more fully appear.

Whereupon I William C. C. Claiborne, Governor of the Mississippi Territory, by virtue of the powers in me vested and for divers good causes and considerations me thereunto moving, do hereby remit the said *fine of thirty dollars*, which was imposed upon him the said Daniel Ryan.

In Testimony whereof, I have caused these letters to be made Patent and the seal of the Territory to be hereunto affixed.

Given under my hand at the Town of Washington, the 10th: day of December, in the year 1802 and of the Independence of the United States of America the twenty seventh.

(signed) William C. C. Claiborne.

A Pardon in the same form as the above, and dated the 10 day of December, 1802, remitting a fine of *one hundred dollars*, imposed upon John Fricker who was convicted of manslaughter.

A Pardon in the same form as the above, and dated the 10th: day of December 1802. remitting a fine of *fifteen dollars*, imposed upon James Burns, who was convicted of Assault and Battery.

To Henry Dearborn.

Natchez
Decem: 11: 1802.

Sir, I have this day drawn a bill of Exchange upon you, in favor of Ferdinand L. Claiborne, for the sum of two hundred and five dollars, payable at five days sight; This bill is drawn, to enable me to meet the expenses incurred by the freight of thirty three boxes of rifles from N. Orleans to Natchez. The accompt and vouchers will be forwarded by the next mail.

I am &c

(Signed) William C. C. Claiborne

To the Same Natchez Dec: 11: 1802.

Exchange for 205 dollars

Sir,

At five days sight of this my first of Exchange (second of same tenor and date remaining unpaid) pay to Ferdinand Lee Claiborne, merchant, Natchez, or his order, the sum of two hundred and five dollars and charge the same with or without further advice to your mo: ob: Servt:

(Signed) William C. C. Claiborne

To Gov. Claiborne, from House of Representatives.

Mississippi Legislature.

The answer of the House of Representatives to the Governor's address.

To his Excellency William C. C. Claiborne Governor of the Mississippi Territory.—

We the Representatives of the people of the Mississippi Territory, have received with much satisfaction, your Excellency's personal communication at the opening of the present session of this Assembly.

We unite most sincerely with your Excellency in offering up to the Almighty Ruler of the Universe our tribute of thanksgiving for the manifold blessings, which have been showered down upon this happy land. For whether we take into view the abundant returns with which this fertile soil, has rewarded the toil of the husbandman, the facility, with which his products (in the midst of the calamities of War) have been carried to profitable markets, or the uninterrupted state of tranquility & repose, in which he has enjoyed in profusion these advantages, in the plentitude of civil and religious liberty, the divine favor is equally conspicuous and cannot fail to call forth the liveliest effusions of our gratitude.

To promote a continuance of these blessings will be the most ardent wish of our hearts, and our humble endeavors, shall be wholly dedicated, to the accomplishment of so great an object. Your Excellency has well observed, that the result of the deliberations of this Assembly, influenced by harmony and wisdom, will be favorable to our supreme object the *general good.* We beg your Excellency to be assured, that on our part nothing shall be wanting, consistent with our duty, to promote so deairable an object, as the general harmony of the different branches of the Legislature, and we possess the fullest confidence that we shall not be disappointed in our expectation, of a reciprocity of

sentiment, a spirit of conciliation, and mutual accommodation, on the part of our fellow labourers, from which must result the happiest consequences to the public and to ourselves.

We shall consider it as our duty to pay particular attention to such objects as are pointed out in your communication and shall most cheerfully co-operate with your Excellency, in all measures calculated to promote our grand object the general good.

The suspension of the deposit at New Orleans for the wares and merchandizes of the Citizens of the United States, is an object of most serious regret, and if not speedily remedied, its results will be most severely felt by this Territory, and by our Brethren of the Western States. We rely with your Excellency on the Wisdom and energy of the general government of the United States possessing the fullest assurance that such measures will be adopted as shall be dictated by the soundest policy.

(signed) Roger Dixon, Speaker

Representative Chamber
December 13: 1802
Attest Saml S. Mahan, Clerk.

To Gov. Claiborne, from Legislative Council.

Mississippi Legislature.

The Answer of the Legislative council, to the Governor's address.

Sir,

We desire to unite with your Excellency, in pious and grateful acknowledgements to the Almighty God, for the uninterrupted state of peace we have enjoyed:— the abundant products of our soil,— the progressive increase of our population agriculture and commerce; and above all, for the undisturbed possession of our

liberties, both civil and religious. While sensible of, and thankful for these inestimable blessings, we are strongly impressed with the duty which devolves upon us, of endeavoring on our part, as far as human exertions are required to continue those blessings, and we trust that under the auspices of the same D i v i n e B e n e f a c t o r, our endeavors will not be altogether unavailing.

It is highly gratifying to us to hear that the exertions of the officers, to organize & discipline the Militia, have been attended, with great success, but as we entertain all that solicitude for the peculiar situation of *our* Country, which your Excellency has indicated, it is with much regret, we learn that this success has not been universal. We shall therefore carefully review the Militia law, and will readily co-operate in making such amendments as may be deemed necessary to command and enforce its execution.

We participate with your Excellency in a concern for the best Interests of the rising Generation, and will therefore cordially concur in adopting any additional measure that may appear calculated to meliorate the Institution of the late Legislature, for disseminating the invaluable advantages of education.

A law for the Inspection of Cotton we conceive as indispensable; this also, with the various objects of Legislation, your Excellency has suggested to our consideration, merits, and shall receive our serious attention.

The Spanish Government's with-holding the usual stipulated privilege of depositing American merchandizes and effects at the port of N. Orleans is indeed a subject of much well grounded solicitude as it materially and universally effects the Interests of the Territory. Although we possess in common with our fellow Citizens those feelings which necessarily arise from such an injurious measure, yet from the liberal indulgence which this Territory has already experienced from Congress, and from the peculiar, early and unceasing attention, it has received from the present Executive of the Union, we rest will full confidence that

our grievance will be redressed as speedily and effectually as possible. We were happy to observe your Excellency's diligence on this occasion, in obtaining Intelligence relative to the event and communicating to the National Administration.

Permit us, Sir, to express what we continue to entertain, the highest sense of your Excellency's Patriotism, and constant attention to the interests of the Territory.

(Signed) John Ellis, President of the Council.

Washington
December 15: 1802

To Judges Lewis, Bruin and Ker.

William C. C. Claiborne, Governor &c of the Mississippi Territory.

To the Honorable Seth Lewis, chief Justice, Peter Bryan Bruin, second Judge, and David Ker, third Judge of the Mississippi Territory.

Whereas several persons are now confined in the jail for the District of Adams charged with offences against the laws of this Territory and it is deemed expedient to bring the said persons speedily to trial, I have thought proper "by and with the advice and consent of two of the Legislative Council," to issue this my Commission, to the said Seth Lewis, Peter Bryan Bruin, and David Ker Judges of the Superior Courts of this Territory authorising them or any two of them to hold (at the usual place of holding Courts in the Town of Natchez) on Tuesday next, the 21st of December, in and for the District of Adams " A Court of Sessions of the peace, Oyer and terminer, for the trial of offenders and to hear, try and determine all crimes and misdemeanors, of what nature or crime soever, wherewith such offend-

ers or any of them shall stand charged and to give Judgement and award execution thereon.

In Testimony, whereof, I have caused these letters to be made Patent and the Seal of the Territory to be hereunto affixed.

Given under my hand at the Town of Washington, the Tenth day of December in the year of our Lord one thousand eight hundred two, and in the Independence of the United States of America the twenty seventh.

{ Seal of the Territory }

(signed) William C. C. Claiborne

To William Scott.

Town of Washington Dec. 18: 1802

Sir,

I shall cause your appointment, as one of my aids de Camp, to be notified in general orders and flatter myself, that you will for the future consider yourself as fully vested with the powers attached to that office.

I wish you to furnish yourself with all convenient despatch with a suit of Uniform and to hold yourself in rediness to accompany me to *Jefferson County* on the first day of January next, when I have promised to dine with the officers of the first Batallion of the second Regiment.

You will rank as my second aid;— The appointment of first aid has been conferred upon Captain Claiborne,[1] who I have understood was the senior Captain, while you were brother officers in the army of the United States.

Present me respectfully to your Lady and believe me to be, with great sincerity—

your friend

(signed) William C. C. Claiborne

---

[1] Ferdinand L. Claiborne, captain regular army October 23, 1799.

To Abner L. Duncan

Washington Decem: 18: 1802.

Sir,

On yesterday, I issued a Commission to the Judges of the Superior Court, authorising them, or any two of them, to hold in and for the District of Adams on Tuesday next the twenty first of December, "A Court of Sessions of the Peace, Oyer "& Terminer, for the trial of offenders." — This information is communicated to you, in order that you may attend and be prepared to prosecute in behalf of the Territory.

I am &c

Signed William C. C. Claiborne

To Henry Dearborn.

Natchez Decem: 21: 1802

Sir,

On the 11th: instant, I drew a bill upon you for two hundred and five dollars, payable at five days sight, to Ferdinand L. Claiborne, merchant at Natchez, or to his order, and now enclose you the accompt and vouchers, which occasioned that draft, in order that the accompt may be closed in the Books of the War Department.

The expense for freight &c: of the rifles has been greater than I expected, but they are such as are usually paid.

The rifles which have been distributed to the Militia, were sold at fourteen dollars, each, payable in Cotton at the Cash price:— the Cotton to be delivered on or before the first day of February next— no payments have yet been made.

An early acknowledgement of this letter with its enclosures, will be to me satisfactory, I not having taken duplicates of one of the vouchers (viz) the Bill of lading and the receipt thereon for one hundred and twenty three dollars & seventy five cents.

I am &c.

Signed William C. C. Claiborne

To James Madison.

Near Natchez
December 21: 1802.

Sir,

On the 5th: instant, the Legislature of this Territory (agreeable to law) met at the town of Washingtin, and on the 8th: a quorum of the two houses, being assembled, I delivered to them an address, a copy of which together with the answers returned thereto by the Houses respectively, you will find in the papers enclosed.

The Commission which was forwarded to Mr. David Ker, was received by the last mail and he has entered on the duties of his Office[1]

Mr. Ker's appointment has given much satisfaction *to a great portion* of the citizens, and he is in my opinion a valuable acquisition to our Territorial Bench.

The Port of Orleans still remains shut against the American deposit:— American produce is permitted to be received by vessels laying in the stream, but the landing of the produce *is unconditionally forbidden.* Indeed so rigorous is the Government in this point, that in a late instance where a cotton boat was upset by wind opposite to the Port of Orleans, there was some difficulty in obtaining permission to place the cotton taken from the river on the Levee.

Notwithstanding the declaration of the Governor General of Louisiana in his letters to me, I am firmly persuaded that the Intendant's Proclamation was directed by the Spanish Court, this is the opinion of some of the best informed Citizens of the United States residing at Orleans.

It is believed that the French will take possession of Louisiana in the course of the Winter or early in the Spring.

I am &c.

(Signed) William C. C. Claiborne

[1] One of the territorial judges.

To James Wilkinson.

Near Natchez 24: Dec: 1802

Sir,

Your letter of the 14 instant, was yesterday handed to me, by Cap: Shaumburgh, and I am gratified with your approbation of my application to the Governor of Louisiana:— It being my first wish, that my acts should be approved of, by just and wise men:— I have however concluded, not to give the correspondence between that Governor and myself publicity, because having transmitted to the President of the United States, it will by him, be given to the public, if the publication be proper.

The paragraph, marked, in your letter relative to your red associates, and the difficulties you have had to encounter in establishing the boundary line between the Choctaws and the United States, shall be given to the public:— its effect upon the Indians, as well as our Citizens may be beneficial.

It is continued to be understood here that the French will take possession of Louisiana, in the course of the Winter, or early in the Spring, but how far this understanding may be correct, I cannot say:— but it would seem from the information of your Eastern friend, that if they intend doing so, that their movements in relation thereto, must be made very secretly.

I am truly anxious to see you as well on subjects of public as personal interest, and no common impediments shall prevent my leaving this on the 4: of January next for the purpose of passing with you two or three days;— perhaps I may set out an earlier day but then most certainly.

I am &c,

Signed Wm. C. C. Claiborne

To Henry Dearborn.

Natchez Jany. 3 1803

Sir,

I have this day drawn on you, in favor of Capt. James Ryan, for one hundred dollars and twenty five cents:— this draft is

drawn to meet the payment of a draft drawn on me by Silas Dinsmoor agent to the Choctaws, in favor of General Wilkinson and by him endorsed. Mr. Dinsmoor's draft is in the following words:

"Sir,

At sight please to pay to Brigadier General James Wilkinson "or his order a hundred dollars and twenty five cents being for "cash advanced for contingencies in the Choctaw Agency, and "you will oblige Sir,

your most obedient
signed Silas Dinsmoor
Agent to the Choctaws.

"23d: October 1802.
"His Excellency
Governor Claiborne"

I deem it proper to be thus particular in this my letter of advice, in order that you may be well informed of the detailed expenses of the Indian Agencies under my superintendance, expecting that to be so, will be satisfactory to you

I have the honor to be &c

signed Wm. C. C. Claiborne

To James Madison.

Natchez January 3rd: 1803

Sir,

The enclosed hand bill has this moment reached me;— it has every appearance of being an official publication —

The conduct of the Spanish Government in Louisiana, is indeed extraordinary; of late their acts manifest a determined hostility to the U. States.

The violation of the Treaty, so far as related to the deposit at Orleans, gave rise to much agitation in this Territory, and this recent attack upon every principle of friendly intercourse, and of those acts of civility which ought to take place, between two nations in a state of peace, has rendered the ferment still greater.

We have in this part of the Territory, about two thousand Militia, pretty well organized, and with a portion of this force (say six hundred men) my opinion is, that New Orleans might be taken possession of provided there should be only Spanish troops to defend the place.

I deem it my duty to inform you, that there are in Orleans and on the Coast, a number of Inhabitants devoted to the American interest, and in the event of hostilities, would most certainly join the American standard.

I am &c

(Signed) William C. C. Claiborne

To Gov. Claiborne, from Gideon Granger.

Genl: Post Office
Novr: 12: 1802

Sir,

I have the pleasure to acknowledge the receipt of yours of the 6: of Sept: and to inform you, an office is established at Greenville, and Doctor Shaw appointed Postmaster.

I am &c

(Signed) Gidn. Granger

To Gov. Claiborne, from David Rawn, Clerk in Treasury.

Treasury Department
Comptroller's Office
Decemr: 4: 1802.

To the Same

Sir,

Your accompt, for stationary, furnished for the use of your Office, from the 1st. of January to the 30: of June 1802, has been adjusted at the Treasury and the sum of thirty seven dollars and seventy five cents, stated to be due to you from the United States, agreeably to the accompt rendered, which will be paid under the direction of the Secretary of the Treasury.

I am &c

David Rawn
Actg as Comptr.

From James Madison to Gov. Claiborne.

Department of State
Novem: 29: 1802

I commit to your particular attention the inclosed letter to Mr. Hulings which covers others from the Spanish Minister here on the subject of the late decree at New Orleans against the deposit of American merchandize at that place. The letter to Mr. Hulings is left open that you may know the light in which this proceeding is viewed by the President, and the steps taken in consequence of it. You will be sensible of the importance of hastening the transmission of the dispatch. If a satisfactory conveyance be not at hand, and particularly if the progress of the merchandize down the river should require an immediate one, the President wishes you to make use of a hired Express.

I am &c

Signed James Madison

To Wm. E. Huling.

Near Natchez,
January 12: 1803

Sir,

The enclosed letter I have just received and from the importance of the subject referred to, I have thought proper to forward it to you by express. The general Government feels seriously the insult that has been offered us, and will take the necessary measures to insure reparation for the injuries our commerce has or may sustain. The Executive (as I expected) views the Proclamation of the Intendant as a direct violation of our Treaty with Spain, and has demanded an immediate explanation from that Court.

By the return of the express, I solicit your opinion upon, the following particulars, as I wish to make a communication relative to them, to the Secretary of State.

Was the Proclamation of the Intendant under the direction of his Court, or did it proceed from his own will?

At what period is it supposed the French will take possession of Louisiana, and are any, and what preparations, making by the Spanish Officers, for the delivery of the Province? and finally, I pray you to transmit me, any general information as to the state of things at Orleans, which may effect the American Interest; the more particular, the more acceptable, as the most minute matters may be of importance to our Country.

I am &c.

Signed Wm. C. C. Claiborne

To Gov. Claiborne, from Wm. E. Hulings.

Translation of the Royal Order for the delivery of the Province of Louisiana. viz.

"I have received the following information from the Minister of War. By a paper of the 15th. Current, the Senr. Dn: Pedro Cevallas, informs me as follows.

The King having ceded to the french Republic, the Colony, or Province of Louisiana, in its actual extent, and as it was possessed by the French, when they ceded it to his C. M. I communicate to you the Royal Order, that disposition may be made for the delivery of the said Province to the french Commissary, or Commissaries that for such effect shall present themselves, with due authority, from the Government of the said Republic, which Royal resolution I have transmitted to the Capt. General of Louisiana, advertising him that it was also the will of the King, in what respects the fixed Regiment, and other veteran troops that Garrison that Province, that the Individuals, that voluntarily wish to remain under the dominion of his Majesty may pass (the delivery of the Province being made) to Havanna, where they will receive their destination" I communicate to you this Royal Order, that you may concur in what respects you — towards the accomplishment of this Sovereign determination. God preserve you many years.

Madrid 30: July 1802. Signed Solen

Sen. Intendant of the
Prov. of Louisiana
Per Intn

New Orleans December 24: 1802

Sir the preceding is a translation of the Order for the delivery of the Province, I procured the Spanish Copy from a Friend; It is not yet communicated publicly by Government.

I am &c

Signed Wm E. Hulings

To Wm. E. Huling.

Near Natchez
January 13: 1803

Sir, I this day received your favor of the 24th: ulto: containing a translated copy of the Royal Order, for the delivery of the

Province of Louisiana to the French Commissary or Commissaries that for such effect shall present themselves, with due authority from the Government of said Republic. This order I consider as official, and its contents of material concern under existing circumstances, to the Government of the United States.

In my letter under date of the 12: inst: I have communicated in detail my wishes relative to the acts of the Provincial Government at New Orleans, that letter, will be handed you together with this by the express.

I am &c

Signed Wm: C. C. Claiborne

To Gov. Claiborne, from Henry Dearborn.

War Department
Decem: 6: 1802

Sir,

Your letters of the 4: & 5th. of October have been duly received, with their enclosures. The character and conduct of Mr. Mitchell, is so little known, as to render it doubtful whether any augmentation of his compensation would be proper or not— the general impressions relative to him as an agent, have not been the most favorable, but if it shall appear on further enquiry, that he is entitled to the confidence of the Executive, and that his situation and exertions will warrant an additional allowance it will be given. In the mean time I will thank you Sir, for your opinion of him as an agent, and on the propriety of making him an additional allowance.

The President is disposed to gratify Maj: Colbert, in his request respecting the education of his son and requests that he may be sent to this place for the purpose.

I am happy in hearing of the recovery of Mr. Dinsmoor, altho' I cannot approve of his conduct in the duel; I am persuaded that

he will be very useful as an Agent:— I think he possesses as many of the necessary requisites, as any man of my acquaintance. And I trust that Mr. Chambers will execute the duties of his trust as Agent to the Factory with the Choctaws, with fidelity and propriety— The President is extremely anxious for the increase of population on our South Western frontiers and will give every encouragement in his power to so important an object: It is expected that a settlement will be made this session of Congress with the purchasers of Georgia lands, and that boundaries will be determined by General Wilkinson, will afford openings for many new settlers.

I am &c

(Signed) H. Dearborn.

To Henry Dearborn.

Near Natchez
January 17: 1803

Sir,

Your letter of the 6: ult. I have had the pleasure to receive,

Mr. Mitchell has been known to me, for several years, and I have thought him a very honest man, but of his general conduct as an agent, I am not sufficiently informed to say, how far he has merited the confidence reposed in him for some time past, Mr. Mitchell has experienced a great share of sickness and which occasioned inattention to his Agency, He however is now restored to health and promises to exert himself in forwarding the views of the Executive, in relation to the Indians. I think it advisable for the present, to retain Mr. Mitchell in office, but the question as to the increase of salary I would wish suspended until his situation and exertions as an agent are better understood.

Major Colbert shall be informed, of the President's disposition to grant his request, respecting his *son*, and I will direct *him* to be sent to the city of Washington in the Spring.

I am much pleased with Mr. Dinsmoor and am persuaded, he will be very useful as an Agent, to the former exertions and good conduct of this Gentleman, may be attributed the progress of civilization, among the Cherokees, and I flatter myself his endeavors will prove alike successful among the Choctaws.

Mr. Dinsmoor is now in Natchez, but will set out for the nation in twelve or fourteen days; he will take with him the Choctaw annuity for 1803, and I have it in contemplation to direct his passage by the route of Orleans.— Altho' the Spanish Government have of late acted so base and treacherous a part towards the American commerce, I presume, they will not be disposed to intercept the presents for the Choctaws, and I suppose, I run no risque in sending the annuity by the way of Orleans and Mobile. Indeed if the Spaniards should stop the Annuity, it would not be to me a cause of much regret, for the certain consequences would be a loss of their *influence* among the Choctaws, which of late they have discovered an uncommon solicitude to preserve.

The extension of the line (running parallel with the Mississippi) between the U. States and the Choctaw Nation, will, I suppose, be completed in about twenty days. I very lately paid a visit to General Wilkinson, and found him progressing rapidly with the work. The line embraces a much larger tract of fertile land than was expected, and is consequently highly satisfactory, to the citizens in this quarter. My visit to the General, arose principally from a desire to confer personally with him, on the business of the Choctaw factory:— He is decidedly of opinion, that the establishment should be made on the Tombigbee, and anticipates no difficulty in making the necessary arrangements with the Government at Orleans.— But his employment on the line having prevented his immediate attention to this subject, a delay in the establishment of the Factory, has been unavoidable.

Mr. Chambers, the Factor greatly regrets the delay of his business:— He seems to have the welfare of the Institution much

at heart, and will in my opinion execute the duties of his trust, with fidelity & Propriety.

Until the Site for the Factory, is finally determined on, which I sincerely hope will be done in a few weeks, I have requested Mr. Chambers to remain with me, for his assistance, which he has been polite enough to tender, I find very essential in my *office*, the business of which is amply sufficient to Justify the employment of a permanent Clerk, and here allow me to say, that if I had permission to employ *one* it would conduce to the benefit of the public service.

I have received no recent dispatches from New Orleans:— At the date of my last letters, the port still remained shut against the American Deposit, and it was not understood, that the decree of the Intendant is likely to be revoked.

I am &c:

(signed) Wm C. C. Claiborne

To Henry Dearborn.

Mississippi Territory
Town of Washington
January 19th.. 1803

Sir,

I this day bargained with Mr. Joseph Calvit, for forty one acres of land which includes the Site which had been selected for the new post;[1] an ample supply of timber for the contemplated buildings and of firewood for the use of the Garrison for several years.

The price Pr. acre, is fifteen dollars, which I fear, will appear to you extravagant, but I do assure you Sir, that from the singular advantages which this little tract possesses;— Its contiguity to the town of Washington, the healthiness of the situation:—

[1] Fort Dearborn, which for many years was the most important military post in Mississippi Territory.

the great elegance of the Site, fertility of the soil, the plentiful supply of good Spring Water, the consideration Pr. acre is far from being high:—Indeed I could at private sale, sell the premises for a greater sum, than I have contracted to give.

The expense of the contemplated establishment (exclusive of the land) will be very inconsiderable. The hauling of the timber may be done by a public team, and the necessary sawing hewing &ca: and puting up the block houses will be performed by the soldiers.

General Wilkinson has ordered a company from Fort Adams, to occupy the new post, and to erect the block houses, which when completed, I must again recommend as a proper place to deposit the spare arms and Military stores, which are now at Fort Adams. Fort Adams is a barrier post on our extreme frontier, and consequently, not a fit position for a large Military deposit, but the new Garrison is near the center of our population and could be resorted to by the great body of the people in the time of danger.

I shall send you by the next mail a plan of the survey of the Site, and I flatter myself, that the discretion I have exercised in relation to the quantity of land purchased will receive your approbation.

I am &c

Signed Wm.. C. C. Claiborne

To James Madison.

Near Natchez
January 19: 1803.

Sir,

On the 10th: instant, I had the honor to receive your favor of the 29th: of November last, together with its enclosures. A private opportunity not having offered, I despatched by a hired

express the letter to Mr. Hulings, and I presume it has by this time reached him.

At the date of the last advices from New Orleans, that post continued shut to the American deposit, and it was not understood that the Intendant was likely to revoke his decree;— I am however fully persuaded, that the serious light in which the subject is viewed in the United States:— the demand of reparation for the injury our commerce may sustain, together with the advice from the Spanish Minister, will induce the Intendant to rescind his Edict, if it has really arisen from his own will.

The enclosed paper purports to be a copy of the Royal Order for the delivery of the Province to the Republic of France; It was forwarded to me, by Mr. Hulens, and there is little ground to doubt its authenticity.

I am Sir &ca.

Signed William C. C. Claiborne

To James Madison.

Near Natchez
January 20: 1803

Sir,

I have lately received a return of the claims which have been filed in the County of Washington, general abstract of which, I now have the honor to enclose you.

Most titles which have been exhibited in Washington County, are very incomplete. It is not believed, that any of the Citizens claiming under Spanish sales, had obtained patents previous to October 1795, but remained in possession of their lands, by virtue of an order of survey from the Governor General, which is commonly called a Grant; with regard to this species of title, I was explicit in my letter of the 5th: of November, and to which I beg leave to refer you, with this additional observation,

that it was not until after the conquest of Florida, by the Spaniards, that they introduced the custom of issuing patents; previous to that time a warrant of survey and possession was the only mode of Spanish conveyance, and subsequent to the period alluded to, this kind of title after three years occupancy was esteemed valid.

Abstract No. 1. exhibits the quantity of land claimed under British and Spanish Grants.

Abstract No.. 2 exhibits the quantity of land claimed under British and French Patents.

Abstract No. 3 exhibits the quantity of land claimed (under Occupancy) by persons who were actual settlers within the Ceded Territory in October 1795.

There are also, in the County of Washington one hundred and eight heads of families, who have settled vacant land, and made considerable improvements subsequent to 1795.

I flatter myself that to these Citizens a right of pre-emption will be given, and I do sincerely believe, it would be good policy to sell the land low to actual settlers:— It will be the only means of preventing a considerable emigration to Louisiana, from this most remote and vulnerable part of the United States.

A letter from Mr. Richard Lee Clerk of Washington County accompanying the return of Claims is also enclosed.

I am &c

(signed) Wm C. C. Claiborne

N.B.

The original papers exhibiting the Claims of the Citizens of Washington County to their lands are filed in my Office, it having been considered not material to forward them, as their substance is selected and brought into due view, in the enclosed abstracts, if however they should be wanted, on intimation thereof they will be forwarded. W. C. C. C.

To Gov. Claiborne, from James Wilkinson.

National boundary
January 23: 1803.

Sir, I have the pleasure to inform you, that I the last evening compleated the Choctaw boundary, but was somewhat perplexed to ascertain this boundary, which is not more obvious than an ordinary Choctaw trace:— to ascertain my distance from the Mississippi, I shall measure Mr. Ellicotts traverse, until I find some clear Testimonial to satisfy me in this particular, and if not delayed by high Waters, I will reach Fort Adams the 27 or 28th:— To save time and expense, I send you under cover a memorandum of articles which I wish for the accommodation of Choctaw Commissioners and Guides:— which I will thank you to order down to Fort Adams, where the Cloaths may be made by the Regimental Taylors and properly fited.— These articles being promised to them, I shall be obliged to purchase if they are not furnished from the public goods, which is consonant to the ideas of the Executive conveyed to me by the Secretary of War.

I am &c

signed Ja Wilkinson.

Memo: of Articles for the Choctaw Commissioners and Guides, transmitted his Excely. Govr. Claiborne—

3 full trimed long coats, blue & buff.
2 Blue Capots, red cuffs & Capes.
3 white Watch Coats.
5 Hats.
6 fine white Shirts.
4 Calico————do—
5 Pr. scarlet leggins.
5 Blue flaps.

January 23. 1803

(Signed) Ja: Wilkinson
Commissioner of the United States.

To James Wilkinson.

Washington
January 29: 1803

Sir,

I received yesterday your letter of the 23rd: inst and am happy to learn that you have completed the Choctaw Boundary. After you have ascertained your distance from the Mississippi and shall have arrived at Fort Adams, I will thank you (when leisure permits) to give me an opinion as to the quantity of land, to which the Indian Claim has been extinguished.

The presents which you have promised the Choctaw Commissioners and guides, they have well deserved. It however is not in my power to furnish them from the fund you suggest; since among the Choctaw Annuity (now at Natchez) there is no clothing of the description you have mentioned, and if there was, it would seem unjust to reward the Commissioners and guides from that source; and I have no authority to appropriate (in this way) any of the goods destined for the Factory.

I have understood, that there are two stores at Fort Adams, where I presume you might purchase the articles specified in your memorandum and no doubt the cost thereof, would be, immediately, paid to your draft by the Secretary of War,— Or if you should prefer to draw a bill upon me in my Character as superintendent of Indian affairs, it will be duly honored.

In your letter of the 15: instant which was handed me by Captn: Shaumburgh, you express an intention (after the line was completed) of calling upon me, "for such aid, as might be necessary to reimburse expenses."— Upon reflection, it appears to me most proper that these expenses should be met by your draft, immediately, on the Secretary at War; in as much as from our correspondence copies of which have been transmitted to the War office, it appears that the expenses of the line, were to have been directed exclusively by you.

I am &c

Signed Wm. C. C. Claiborne

To James Madison.

Mississippi Territory
Near Natchez
Jany. 28: 1803

Sir,

The express which I despatched to New Orleans, on the 11: instant, returned yesterday and brought me the enclosed packet, accompanied by a letter from Mr. Hulings, a copy of which is herewith forwarded.

It seems the Intendant is firm to his purposes and that the deposit will not be restored.

This Intendant is represented to be a man of handsome talents, and extensive fortune, that he should risque his reputation and estate by persisting in a measure of this kind without authority from his Court appears to me extraordinary.

The boats from the Westward are arriving daily at Natchez: I have understood that there are many vessels now in the port of Orleans waiting for freight, which they received on board, while lying at anchor in the stream. But as the American Deposit, is no longer permitted, and foreign *vessels* prohibited from trading to Orleans, it will probably follow that few for the future will enter the river. The consequence then will be, that the number of vessels will be insufficient for the demand, and the surplus produce of the West, will be lost to our Country and to the industrious farmer.

I am &c

Signed Wm. C. C. Claiborne.

To Henry Dearborn.

Near Natchez
January 31. 1803.

Sir,

Your circular letter of the 8th of Decem: together with its enclosures, I have had the honor to receive, I shall give the

necessary directions for carrying the law of Congress, you refer to, into effect, and in a short time, I shall transmit you a compleat statement of the Military strength of this Territory.

In my letter of the 17: of September last, I suggested the propriety of appointing a Brigadier General, in the Militia of this Territory, and took the liberty to express a wish, that Colo: Benajah Osmun, the Officer at present commanding the Brigade might be promoted.

The appointment of a General would certainly tend to the perfecting of the Militia, and I am firmly persuaded, that if the President, should confer the appointment upon Colo. Osmun, he would discharge his duty with usefulness to his Country and credit to himself. If a Junior officer of the Militia was appointed General, it would certainly create great dissatisfaction in the Brigade.

I am &c

signed Wm C. C. Claiborne

To Henry Dearborn.

Near Natchez, February 15th. 1803.

Sir,

Enclosed is a Map of forty three acres of land purchased for the new Garrison. I have obtained a deed for the land and so soon as it is recorded in the proper office, I will forward to you, the Original Copy.

After the Surveyor had made an accurate calculation he found there was forty three acres included within the survey, two acres more than I named to you in my letter of the 19th. ulto.

To avoid the expense of purchasing timber for the contemplated buildings, and fuel for the use of the Garrison and to secure ground sufficient for convenient gardens, and to prevent

the Citizens from erecting tippling houses immediately in the vicinity of the Fort, which invariably produces irregularities among the troops, I deemed it expedient to contract for the quantity of land above mentioned.

I am &ca

signed Wm. C. C. Claiborne

To Gov. Claiborne, from James Wilkinson.

Fort Adams
February 18: 1803

Sir,

My incessant engagements since my arrival at this place, have prevented the earlier acknowledgement, of your letter of the 29: Ultimo.

The sketch of the Indian concession is nearly compleated, soon after which I shall transmit you a copy with a calculation of the contents, which will exceed 1.900.000 Acres.— When I addressed you on behalf of the Choctaw Guides and Commissioners, for the small presents promised to them, the idea of furnishing them from the donation goods rested on the enclosed extract of a letter from the Secretary of War to me; and my reference to the goods destined for the Factory, was suggested by a desire to save the public the heavy advance of the Country on such articles. But as the amount will be inconsiderable, I have determined to furnish them agreeable to your recommendation, and when the Chiefs are Equped will transmit you the account.

The remark offered to you in my letter of the 15: Ultimo, respecting the reimbursement of the expenses incurred in establishing the Choctaw boundary, was founded on information received from yourself, that the Secretary of War, had instructed you to make the necessary provision for the occasion, and had authorised you to draw on him for the amount; It must certainly

be considered a happy circumstance, that I should be able to save the expenses contemplated, and to accomplish the business without imposing the least trouble on your Excellency; It was obviously the intention of the Executive, that the disbursements should pass through your hands, and as I have received no Counter Orders, altho' copies of our correspondence were transmitted by me to the Secretary of War, in November, I think it may be fairly inferred, that no change of disposition has ensued, and therefore with the utmost deference to your opinion, I remain under the impression that this is the proper course for the business, and that it would be manifestly improper for me, to draw on the Secretary of War, without being instructed to do so. I have therefore felt it my duty to submit to you Sir, under another cover, a Genl: acct: of the disbursements in question, and to make application to you for reimbursements, without which the further views of the Executive of the United States, confided to me, must be delayed and may be defeated: I will therefore hope that you may on reconsideration, see the subject in the same light it strikes me, and that you may think proper to favor this address - with much consideration and respect.

I am &c

(signed) Ja Wilkinson

To Gov. Claiborne, from James Wilkinson.

Fort Adams
Feb. 18: 1803.

Sir,

I have the honor to inform you that having closed the account of the expenses incidental to the establishment of the Choctaw boundary, conformably to the stipulations of the Treaty of Fort Adams, (as far as was practicable) I find the amount to be correspondent to the within statement, which I have discharged and

shall hold the vouchers for the final adjustment of my accounts at the Treasury, in the mean time it becomes essential to the further objects of Government, that I should be reimbursed this sum, and my only resort in this case is to your Excellency, who has been authorised by the Secretary of War, to provide for the occasion of these expenses:— I will therefore request of you to be so obliging as to transmit me the amount of the within account, for which I shall give you duplicate receipts to be passed to my debit in the proper office.

With &c

Signed Ja Wilkinson.

Dr" The united States in a|c with-
Brigadr. General James Wilkinson

For various disbursements made by him, incidental to the establishment of the Choctaw boundary line agreeably to the Treaty of Fort Adams, for which he holds regular vouchers. Dollrs. 2.155.00

Certified this 18: day of Feby. 1803
signed Ja Wilkinson

To James Wilkinson.

Town of Washington
February 23: 1803.

Sir,

Your letters under date of the 18th: were duly received.

Upon mature reflection, it continues to be my opinion that the expenses of the line, should be met by your drafts immediately on the Secretary of War.

In a letter from the Secretary of War to me, of the 7th. of June last (an extract from which, I have heretofore enclosed you) he thus expresses himself "should General Wilkinson suc-

ceed with the Choctaws in obtaining their consent (and of which you will be informed) I have to request that your Excellency, will appoint some capable person to assist him, as Surveyor, and also to procure chain men, pack horses, provisions and stores on the most reasonable terms. Your bills on this Department for any *expense which you may incur* in the business will be accepted and paid on the shortest notice." It appears to me that from the letter as well as the Spirit of the above quotation, I am not authorised to draw for any other than such expenses as I had either directed or incurred.

Previous to my communicating to you, the tenor of the Secretary's letter of the 7: of June, you had adopted a course for the establishment of the Choctaw boundary, different from that prescribed to me by the Secretary of War, and which you deemed it your duty to prefer as being the most *acconomical and expeditious;* your letter to me *on this subject* of the 11th of November last I transmitted to the Secretary of War, and at the same time expressed it as my own opinion "that the arrangement (you had adopted) would fully answer the object, and in point of Oeconomy and expedition, was perhaps the best that could have been resorted to." In this opinion I am now confirmed.

Under the circumstances it seems to me there can no difficulty arise to the War Office in honoring your drafts to meet the expenses incurred in establishing the Choctaw boundary. If my endorsement of your bills drawn to meet these expenses would afford you any accommodation, I will with pleasure do so: - As it will be to me always highly satisfactory, to cooperate with you, in forwarding the public interest.

I am &c

(signed) Wm. C. C. Claiborne

To Gov. Claiborne, from James Madison.

Department State
January 17: 1803

Sir,

I duly received your letter of the 25 Novr- inclosing the letter to you from the Governor at New Orleans, in which it was stated that the Intendant in arresting the course of our trade had acted without orders from the Spanish Government as well as contrary to the opinion of the Governor, This communication was laid before Congress by the President. You will find by the resolution of the House of Representatives herewith inclosed the principles and purposes entertained by that branch of the Government on the subject of the Western rights and interests of the Union. The President having them not less at heart has with the concurrence of the Senate appointed Mr. Monroe the late Governor of Virginia a Minister Plenipotentiary and Extraordinary immediately to France, and eventually, if expedient to Spain; where he will be joined by the respective Ministers at those places in negotiations for more effectually securing and if practicable enlarging the rights of the United States on the Mississippi and the Territories Eastward thereof.

Mr. Monroe will proceed on his mission as soon as he can make himself ready for it.

From the steps which have been taken in order to effect a revocation of the prohibitory ordinance of the Intendant, it is hoped that the stipulated channel of trade is by this time again open. Considering however the importance and urgency of the case, it has been suggested to the Spanish Minister here, that as he now knows that the Intendant had no instructions from his government, and has seen more fully the effects of this violation of Treaty on the Councils of the United States, he might advantageously renew his interpositions with that office. He has accordingly put into my hands the letter enclosed, which I beg the favor of you to forward to Mr. Hulings, with a copy of this

letter by the quickest conveyance; particularly in case the right of deposit should not have been reestablished.

I am &

(signed) James Madison

To Wm. E. Huling.

Natchez
February 18. 1803

Sir,

I must ask the favor of you to deliver in person the enclosed letter to the Intendant.

I have forwarded for your information, a copy or a communication, which I last evening received from the Secretary of State.

I am &c.

(signed) Wm C. C. Claiborne.

To James Madison.

Near Natchez
March 3, 1803

Sir

I duly received your letter of the 17 January, enclosing one from the Spanish Minister to the Intendant, which I immediately forwarded to Mr. Hulings together with a Copy of yours.—

The enclosed copy of a Proclamation lately issued at Orleans by the Intendant, will shew to you, how far the steps taken to effect a revocation of the prohibitory Ordinance of the Intendant, have been successful.— The Port is now partially open, but much remains yet to be done, before the Trade is restored to its Stipulated Channel.

I heard with great satisfaction of the appointment of Mr. Monroe, as a Minister to negociate "for more effectually securing, & if practicable, enlarging the rights of the United States on the Mississippi, and the Territory Eastward thereof." I have the highest confidence in this Gentleman's Capacity, as well as his Zeal, for the accomplishment of his mission in its fullest latitude.

I am inclined to the opinion that the Intendant will not immediately revoke his prohibitory ordinance, unless the last letter from the Spanish Minister to him, or other orders from his Government recently given, impels him to do so.

At the date of my last dispatches from Orleans, the French had not arrived, but they were daily expected.—

I am &c

Wm- C, C, Claiborne—

To Henry Dearborn.

Town of Washington.
March 2. 1803

Sir

I now enclose you a Draft of the Fort erecting near to this Town, which was presented me by Lieutenant Hopkins of the first Regiment.—

The work is commenced, & will be completed in conformity to the plan pointed out in your letter to me of the 8th- of April last.[1]

As Fort Dearborn (the name which has been given to the new Post) will *frequently be visited* by *the Citizens*, & the Officer commanding consequently subjected to increased Expence, I ask the liberty to suggest the propriety of allowing him double Rations.

I am &c

Wm- C, C, Claiborne—

[1] For details see that letter.

To Wm. E. Huling.

Town of Washington 4 March 1803

Sir

I hasten by Mr. Chambers to acknowledge the receipt of yours of 25 February.

The Intendant's decree I had received some days since, & forwarded it by the last mail to the Secretary of State; That he has acted in pursuance of orders, has always been my own opinion, altho' with you I am in the dark respecting the *Power*—

You may rely upon Secrecy relative to your communications— Policy alone would dictate this, not only as it regards yourself privately but also as our Government might otherwise be deprived of your active Services.—

I am &c

Wm- C, C, Claiborne

To James Madison.

Near Natchez
March 5— 1803

Sir

I enclose you a letter which I have lately received from Mr Hulings; it communicates the latest Intelligence from N. Orleans—

The Western Boats are arriving daily at Natchez; out Markets are low but there is no difficulty, in exporting Produce from hence to the Atlantic States or to Europe— There are many *Vessels* yet lying opposite to Orleans, waiting for return Cargoes, & thirty two dollars-62 Cents, Payable at five days sight to freight, which I understand is not high—

I am &c

Wm- C. C. Claiborne

To Henry Dearborn.

Natchez. 7. March 1803

Sir

To meet some expenses which have accrued in the Indian Department, I have this day drawn a Bill upon you for two hundred thirty two dollars-62 Cents, Payable at five days sight to Benjn- Wilkinson or to his order.— I shall by the next mail enclose you the vouchers which occasioned the draft—

I am &c

(Signed) Wm- C, C, Claiborne

To Henry Dearborn.

Natchez 7 March 1803

Exchange for 232 62-100 Dollars —

Sir

At five days sight of this my first of Exchange (second of the same tenor & date remaining unpaid) pay to Benj. Wilkinson or order the sum of two hundred and Thirty two dollars and Sixty two cents, and charge the same with or without further advice to your most Obedt- Servt-

(Signed) Wm- C, C, Claiborne—

Remission of Fine.

William C, C, Claiborne, Governor of the Mississippi Territory—

To all whom it may concern G r e e t i n g—

Whereas George Dickerson, a citizen of the State of Kentucky was lately convicted before Samuel Brooks and James Ferrall esquires Justices of the Peace in and for the County of Adams in said Territory under the Statute of said Territory in such case

made and provided, of selling Spirituous Liquor, to wit three Gallons of Whiskey to certain Indians within the limits of said County and thereupon by the same Justices was adjudged to pay the sum of one hundred and twenty dollars as a fine one half to be paid to the said Territory and one half to the Informer, & likewise the costs of prosecution, N o w KNOW YE that in and by virtue of the powers in me vested as Governor of the said Territory and for divers good causes and considerations me hereunto moving I do hereby remit the aforesaid moiety of the abovementioned fine, so adjudged as aforesaid to be paid to the said Territory, and the said George Dickerson from the same and the payment thereof, do forever release and acquit, the said judgment in all other respects to be fully carried into execution according to Law—

In testimony whereof I have caused these letters to be made patent, & the Seal of the Territory to be hereunto affixed

Seal of the Mississippi Territory

Given under my hand at the Town of Washington this ninth day of March in the year of our Lord one thousand eight hundred three, and of the Independence of the United States of America the twenty Seventh

(Signed) Wm- C, C, Claiborne—

Appointment of Justices of the Peace.

1803, On the 12th day of March the Governor appointed the following Gentlemen Justices of the Peace & Justices of the County Court in the County of

——— Washington ———viz——

Figguire Lewis
Ranson Howell
William H. Hargrove
James Callier
William Pierce—

To James Madison.

near Natchez 15 March
1803

Sir

The enclosed Memorial & Petition from the House of Representatives of the Mississippi Territory, upon the subject of the free Navigation of certain navigable Rivers, "falling into the Bay of Mexico, from the Territories of the United States, and passing thro' the Dominions of his Catholic Majesty, " I have been requested to forward to the Department of State, & I must ask the favor of you, to lay the same, before the President of the United States.—

On the 12th Instant, the two Houses of Assembly elected Doctor William Lattimore of Natchez a Delegate from the Territory to Congress for two years. Doctor Lattimore is a young man of promising Talents, & *a firm* & Genuine *republican.*—

On the 12th Instant the Legislature adjourned, to meet again in October next. — The Laws which were passed are now in the press, & so soon as they are printed a Copy shall be transmitted to you.—

I have received no late Intelligence from New Orleans—

I am Sir &c

(Signed) Wm- C, C, Claiborne

To Henry Dearborn.

Natchez 17 March
1803

Sir

I have this day drawn a Bill upon you for Six hundred & fifty five dollars, payable at five days sight to Robert Boyce, or to his order, & now enclose you the accompt & vouchers which occasioned the Draft, in order that the accompt may be closed in the Books of the War Department.—

I am &c

(Signed) W. C. C. Claiborne—

To Henry Dearborn.

Natchez 17 March 1803

Exchange for 655 Dollars—

Sir, At five days sight of this my first of Exchange (second of the same tenor and date remaining unpaid) pay to Robert Boyce, or his order, the sum of Six hundred & fifty five dollars & charge the same with or without further advice to your mo: obdt- Servt-

(Sign'd) W, C, C, Claiborne—

City Officers of Natchez.

On the 17th- of March, (1803) the Governor appointed

John Girault, an Alderman in & for the City of Natchez—

On the 21 of March, the Governor appointed

Samuel Brooks—Mayor
Samuel Neil
Joseph Newman } Aldermen
and Peter A Vandorn—Marshale in & for the City of Natchez-

On the 22 March, the Governor appointed

Samuel Brooks
Chief Justice of the Orphans Court,
for the County of Adams.—

On the 25th of March, the Governor appointed William Nicholas, Sheriff of Adams County vice, William Brooks resigned.

To Gov. Claiborne, from James Madison.

Department of State Feby 14th:
1803

Sir

Your letters of the 20th.. & 21st: December and January 3d: have been duly received. The rigor in abolishing hospitable intercourse between the Spaniards and the Citizens of the United States navigating the Mississippi explained in the latter, justly increase the indignation excited by the Original measure of the Intendant. Still the stronger presumption is that the whole proceeding is chargeable on that officer, rather than on orders from his Government. The arrival of dispatches of November the 29th: from this department will probably lead to a further developement of the case, I am sorry that these dispatches had not reached you at the date of your last as I infer from its silence on that point as soon as it was rendered highly probably tho' not officially certain that orders had been issued by the Spanish Government to the local authorities at New Orleans to deliver over to French Commissioners the Province of Louisiana, M. Pichon, the French Minister here was called on to interpose with a view to prevent the example of the Spanish Intendant in violating our rights, from being followed by the new Occupants, he readily undertook to do so. and I now enclose a duplicate of his letter the original having been sent by a vessell engaged at Baltimore for the express purpose of conveying it. It will be proper to hasten the receipt of it as much as possible and consequently to do this by a hired express; It is proposed by M. Pichon as well as myself, that it should be addressed to the care of our Consul at New Orleans, and I accordingly ask the favor of you to put it under cover to him. By a letter I have just received from the partner of Mr. Daniel Clark in Philadelphia it is probable he will have

returned to that place, should this not have happened Mr. Hulings will no doubt pay the necessary attention to the subject.

with sentiments of great respect, I have the honor to be Sir

yr. mo: obt: Servt.

(Signed) James Madison

William C. C. Claiborne Esq: &c &c &c

To James Madison.

Near Natchez March 27th: 1803

Sir,

Your letter of the 14th: Ultimo with its enclosures reached me on the evening of the 24th: Instant and on the next day I forwarded the packet for New Orleans by express to Mr. Hulings; it is reported that several french officers have arrived at Orleans and Certain information received of the sailing of the fleet with the army for Louisiana. If this report be true I shall be advised thereof on the return of my express, but at present I do not myself give much credit to the Rumour.

Mr. Monroe's Mission is highly satisfactory to most of the reflecting Citizens of this territory; but there are some few Characters among us (from whose standing in society a contrary conduct was expected) who either from sinister views or sanguine temperaments reprobate the policy pursued, and have not been wanting in exertions to inflame the public and excite among them a spirit of discontent. But happily the reason and fears of these men having obtained the ascendancy of their passions, no difficulty has been experienced in suppressing in the bud such insurgent and disorderly efforts.

Mr. Daniel Clark has returned from Europe and is at this time in Natchez.

I am sir with great respect & Esteem yr. mo. obt. servt.

(Signed) William C. C. Claiborne

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